



VILLAGE OF HEMPSTEAD

BOARD OF TRUSTEES'

PUBLIC HEARING

**TUESDAY, January 7, 2020
6:15 P.M.**

AGENDA – January 7, 2020

LEGAL DEPARTMENT (PUBLIC HEARING SCHEDULING)

Public Hearing – 6:15 pm

RESOLVED, that upon the recommendation of Cherice Vanderhall, Village Attorney that the Board of Trustees hereby authorizes to consider amending §§ 48-1, 78-17, 139-2, 139-42.1, 139-43, 139-43.1, 139-53.1, 139-63, 139-63.1, 139-72, 139-72.1, 139-81.1, 139-82.1, 139-105, & 139-112 of the Code of the Incorporated Village of Hempstead Chapter Forty-Eight, entitled “Boardinghouses and Rooming Houses,” Chapter Seventy-Eight, entitled “Housing and Property Maintenance,” and Chapter One Hundred Thirty-Nine, entitled “Zoning,”

Moved by Trustee _____ that this hearing be closed.

Seconded by Trustee _____

**NOTICE OF PUBLIC HEARING
VILLAGE OF HEMPSTEAD**

PLEASE TAKE NOTICE that a public hearing will be held in the Village Hall, 99 James A. Garner Way, Hempstead, New York, on **Tuesday, January 7, 2020**, at **6:15 p.m.** to consider amending **CHAPTER 48 (BOARDING HOUSES AND ROOMING HOUSE)**, **CHAPTER 78 (HOUSING AND PROPERTY MAINTENANCE)** AND **CHAPTER 139 (ZONING)**.

The proposed local law is on file in the Office of the Village Clerk, Village Hall, 99 James A. Garner Way, 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.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF HEMPSTEAD

DON RYAN, MAYOR
PATRICIA PEREZ, VILLAGE CLERK

Dated: December 4, 2019
D/P: December 27, 2019

CHAPTER 48. Boardinghouses and Rooming Houses

§ 48.1.1 Definitions.

BOARDINGHOUSE

Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.

LODGING HOUSE

A multiple dwelling, other than a hotel, a rooming house or a furnished room house, in which persons are housed for hire for a single night, or less than a week at one time, or any part of which is let for any person to sleep in for any term less than a week.

ROOMING HOUSE

Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.

§ 48.1.2 Operation Prohibited; exceptions.

CHAPTER 78 Housing and Property Maintenance

Article II. Minimum Standards

§ 78-17 ~~Boardinghouses, rooming and lodging houses~~ **Repealed.**

A.

Permits.

(1)

It shall be unlawful for any person, as owner, lessor, sublessor or agent, to use, establish, maintain, operate or let any boarding, rooming or lodging house entirely or partially for residence occupancy where rent is paid or other charges are made for such use or occupancy, without first having obtained a permit therefor from the Village.

(2)

No permit shall be issued for boarding, rooming or lodging houses unless it has first been established, after inspection by the Building Department, that such premises and its furnishings fully comply with all of the provisions of the Code of the Incorporated Village of Hempstead, all of the laws of the Sanitary and Housing Regulations of the County of Nassau and all the laws of the State of New York.

B.

Number and type of regulated plumbing fixtures. Boarding, rooming and lodging houses and portions thereof shall be provided with plumbing systems designed to dispose of the sewage from all fixtures and to furnish cold water to every water closet and urinal and hot and cold water to every sink, lavatory, bathtub and shower required therein.

* **

CHAPTER 139 Zoning

Article I. Title, Definitions, Zones and Boundaries

§ 139-2 Definitions and word usage.

BOARDING HOUSE

Any dwelling or part thereof which contains one or more rooming units, in which space is let by the occupant or owner to three or more persons for hire or otherwise.

TRANSIENT DWELLING

Includes hotels, lodging houses, community residences, homeless shelters, halfway houses, group day-care centers, boarding and nursery schools, sorority houses, fraternity houses, college and school dormitories, convalescent, old-age and nursing homes, halfway houses, any recovery center or any dwellings that house individuals for recovery, including, but not limited to recovery for abused women, abused men, abused children and drug addicts, and dwellings used for single room occupancy. This applies to one-family houses, one- and two-story transient dwellings three or more stories in height that are in existence, and to all new transient dwellings.

Article III. Provisions Related to All Districts

§ 139-42.1 Means of Egress.

A.

In every transient dwelling **Class B Multiple Dwelling**, lodging house, community residence, homeless shelter, halfway house and group family day-care center to which this chapter is applicable there shall be from each at least two independent means of egress accessible to each room, apartment or suite, except with respect to a one-story transient building.

D.

Where it is impractical in such existing ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers to provide a second means of egress, the Department may order, in lieu of the second means of egress, additional alteration to the first means of egress and to shafts, stairs and other vertical openings as the Department may deem necessary to safeguard the occupants of the dwelling, may require the public halls providing access to the first means of egress to be equipped on each story with an automatic sprinkler system and, in nonfireproof dwellings, may also require automatic sprinkler heads in the stair which serves as the only means of egress.

Article IV. Residence AAA Districts.

§ 139-43 Permitted Uses

In a Residence AAA District, the following uses are permitted:

E.

Accessory use on the same lot.

(3)

Accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-43.1 Prohibited Uses.

In a Residence AAA District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings**.

B.

~~Lodging Houses~~. **Repealed**.

Article V. Residence AA Districts.

§ 139-53.1 Prohibited Uses.

In a Residence AA District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

Article VI. Residence A Districts.

§ 139-63 Permitted Uses

* * *

B. The following uses are also permitted in a Residence A District:

* * *

3. Accessory use on the same lot.

- (c) Accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-63.1 Prohibited Uses.

In a Residence A District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

Article VII. Residence B Districts.

§ 139-72 Permitted Uses

In a Residence B District, the following uses are permitted:

* * *

E. Accessory uses in the same multiple dwelling building.

(3)

The accessory use shall be understood to be inapplicable to ~~transient dwellings~~ **Class B Multiple Dwellings**, ~~lodging houses~~, community residences, homeless shelters, halfway houses and group family day-care centers.

§ 139-72.1 Prohibited Uses.

In a Residence B District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

Article VIII. Residence C Districts.

§ 139-81.1 Prohibited Uses.

In a Residence C District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

Article IX. Residence D Districts.

§ 139-82.1 Prohibited Uses.

In a Residence D District, the following uses are prohibited:

A.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

B.

~~Lodging Houses.~~ **Repealed.**

Article XIV. Business A Districts.

§ 139-105 Prohibited uses.

In a Business A District, the following uses are prohibited:

H.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

I.

~~Lodging Houses.~~ **Repealed.**

Article XV. Business B Districts.

§ 139-112 Prohibited uses.

In a Business B District, the following uses are prohibited:

D.

~~Transient dwellings~~ **Class B Multiple Dwellings.**

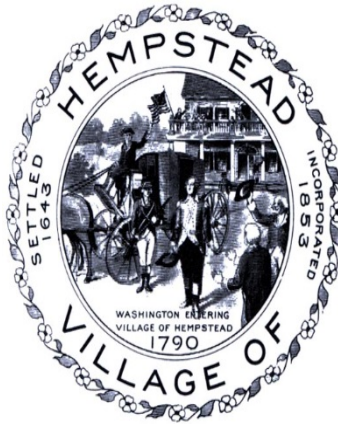
E.

~~Lodging Houses.~~ **Repealed.**

ADDITIONS ARE INDICATED BY BOLD TEXT.

*** INDICATES NO CHANGE IN PRESENT TEXT

DELETIONS ARE INDICATED BY ~~STRIKETHROUGH~~.



VILLAGE OF HEMPSTEAD

BOARD OF TRUSTEES'

REGULAR MEETING

TUESDAY, January 7, 2020
6:30 P.M.

PRESENTATION

(Bi-lingual representative will also be present to translate on behalf of CCC of NC)

by

Child Care Council of Nassau, Inc. (CCC of NC)

99 Quentin Roosevelt Blvd, Suite 202

Garden City, NY 11530

AGENDA – Tuesday, January 7, 2020

1

Presentation of activities report by the public bodies of the Incorporated Village of Hempstead:

Recreation and Parks Commission – Chairperson Vanessa Henry

Human Relations – Juanita Hargwood, Director

Personal Service Wireless Facilities Board – Zoning Officer Deloris Mc Queen

Hempstead Library Board – Irene Duszkievicz, Library Director

Traffic Safety Board – Lt. Kirichenko / Chairperson Mary Burns

Hempstead Coordinating Council of Civics Association – Reginal Lucas

Youth Council – Moises Herrera

Board of Zoning Appeals – Chairman Danny Leo

Planning Board – Chairperson Kennetha Pettus

Hempstead Housing Authority – Chairman Shereen Goodson

Community Development Agency – Commissioner Charlene Thompson

Electrical Board – Ronald Margarie

Plumbing Board – Chairperson Kelly Magee

Historian - Reine Bethany

Hempstead Chamber of Commerce – Acquila Bailey

_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Samantha Fountain, Deputy Village Clerk** the Board of Trustees hereby approves the minutes of the **Regular meeting** of **December 17, 2019** read aloud.

Moved by Trustee _____ that the reading of the minutes of the **Regular meeting** of **December 17, 2019** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee _____

Hempstead, New York

December 17, 2019

REGULAR MEETING

A regular meeting of the Board of Trustees of the Incorporated Village of Hempstead was held at the Board Room, 99 James A. Garner Way, Hempstead, NY 11551 at 6:30 p.m.

ROLL CALL

Trustees Johnson, Hobbs, Renfroe, Daniels; Mayor Ryan

Also Present:

Jacqueline Zore-Smrek, Deputy Village Attorney
Patricia Perez, Village Clerk

EXECUTIVE SESSION

The Village Attorney would like to enter into an executive session at December 17, 2019, Board of Trustees' meeting regarding potential litigation.

Moved by Trustee Hobbs to enter into an executive session regarding potential litigation

Seconded by Trustee Renfroe
Time in 6:31 pm

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

Moved by Trustee Renfroe to come out of executive session.

Seconded by Trustee Hobbs
Time in 7:13 pm

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

EXECUTIVE SESSION

The Village Attorney would like to approve matter 1 that discussed in Executive Session.

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

EXECUTIVE SESSION

The Village Attorney would like to approve matter 2 that discussed in Executive Session.

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

ACCEPTANCE OF MINUTES

Clerks offers the following resolution for adoption:

Moved by Trustee Hobbs that the reading of the minutes of the **Regular meeting of December 3, 2019** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

Report of the Village Justice – Month: **November 2019**

Total number of cases before the court 2,339

Total monies remitted to Village Comptroller \$214,761.00

(Copy of this report is on file in the Village Clerk’s Office and may be viewed by the public during office hours.)

APPROVAL OF MISCELLANEOUS LICENSE AND PERMIT APPLICATIONS

Clerk wishes to report that Mayor Ryan & Deputy Mayor Renfroe have approved miscellaneous Business licenses as reviewed

Business License for approval

La Fiesta Beauty Salon Inc.
14 W. Columbia Street

Pomares Law Group PLLC
95 Front Street

Harry Cutter

Herbalife Store

15 Centre St.

270A. Greenwich St.

Sehej Dental LLC dba Oasis Dental
400 Fulton Ave. Ste E

Area 516 Nightclub (Business & Cabaret) renewal
248 Front St.

Zoni Language Centers Inc. (New)
236 Fulton Ave, 1st Floor

Centro American Barber Shop
199 South Franklin Street

Brooklyn Chicken & Burger Inc. (Restaurant –New)
296 Greenwich St.

Hemisphere Real Estate Inc.
678 Fulton Ave.

287 MAIN ST. GROUP LL

Clerks offers the following resolution for adoption

WHEREAS, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 403953/2010, in case entitled “In the Matter of 287 Main St Group LLC F/K/A Martin J. Ain, Petitioner, against The Board of Assessors and the Board of Assessment Review of the Village of Hempstead, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2010/11 through 2019/20 tax years, for real property tax purposes, for the premises described as Section 34, Block 187, Lot 001, known as 284 Main Street, Hempstead, New York 11550; and

WHEREAS, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to 287 Main St Group LLC F/K/A Martin J. Ain, owner of 284 Main Street, a total of \$67,000.00, to resolve the issue of the true tax assessment for the 2010/11 through 2019/20 tax years, payable in two equal installments of \$33,500 each, the first payment within ninety (90) days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment with Notice of Entry and the second payment within one hundred eighty (180) days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment with Notice of Entry;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to 287 Main St Group LLC F/K/A Martin J. Ain, owner of 284 Main Street, a total of \$67,000.00, to resolve the issue of the true tax assessment for the 2010/11 through 2019/20 tax years, payable in two equal installments of \$33,500 each, the first payment within ninety (90) days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment with Notice of Entry and the second payment within one hundred eighty (180) days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment with Notice of Entry; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of 287 Main St Group LLC F/K/A Martin J. Ain, for property known as 284 Main Street, Hempstead, New York 11550, for the tax years 2010/11 through 2019/20, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

BE IT FURTHER RESOLVED, that the issue of the prospective tax assessment for the tax years 2020/21, 2021/22 and 2022/23 will be \$19,000.00 and that no protest will be filed by 287 Main St Group LLC F/K/A Martin J. Ain, owner of property known as 284 Main Street, Hempstead, NY, for the tax years 2020/21, 2021/22 and 2022/23; and

BE IT FURTHER RESOLVED, that refund interest is waived unless payment of the refund is delinquent; and

BE IT FURTHER RESOLVED, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Renfroe
Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

**NEW ENGLAND MUTUAL
REALTY CO.**

Clerks offers the following resolution for adoption

WHEREAS, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 400560/2016, in case entitled “In the Matter of the Application of New England Mutual Realty Co., Petitioner, against The Board of Assessors and the Board of Assessment Review of the Village of Hempstead, Respondents,” to resolve the issue of the true assessment, retroactively for the 2010/11 through and including the 2015/16 tax years, for real property tax purposes, for the premises described as Section 34, Block 359, Lots 211 and 213, known as 389 Peninsula Boulevard, Hempstead, New York 11550; and

WHEREAS, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to New England Mutual Realty Co., owner of 389 Peninsula Boulevard, a total of \$6,500.00, to resolve the issue of the true tax assessment for the 2010/11 through 2015/16 tax years, payable in one lump sum within 60 days after service by the Petitioner upon the Village of an Order and Judgment and Notice of Entry;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to New England Mutual Realty Co., owner of 389 Peninsula Boulevard, a total of \$6,500.00, to resolve the issue of the true tax assessment for the 2010/11 through 2015/16 tax years, payable in one lump sum of \$6,500.00 within 60 days after service by the Petitioner upon the Village of an Order and Judgment and Notice of Entry;

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of New England Mutual Realty Co., for property known as 389 Peninsula Boulevard, Hempstead, New York 11550, for the tax years 2010/11 through 2015/16, shall be discontinued with

prejudice and that no costs or disbursements shall be awarded to either party; and

BE IT FURTHER RESOLVED, that refund interest is waived unless payment of the refund is delinquent; and

BE IT FURTHER RESOLVED, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

RICHARD L. COHEN

Clerks offers the following resolution for adoption

WHEREAS, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 406300/2016, in case entitled “In the Matter of Richard L. Cohen Family, LLC, Petitioner, against The Board of Assessors and/or The Assessor of the Village of Hempstead and The Board of Assessment Review, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2015/16 through 2019/20 tax years, for real property tax purposes, for the premises described as Section 35, Block 640, Lots 67, 146 & 147, 152 known as 514-530 Peninsula Boulevard, Hempstead, New York 11550; and

WHEREAS, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to Richard L. Cohen Family, LLC, owner of 514-530 Peninsula Boulevard, a total of \$10,500.00, to resolve the issue of the true tax assessment for the 2015/16 through 2019/20 tax years, payable in one lump sum totaling \$10,500.00 within 90 days after receipt by the Village of a certified copy of the duly signed and entered Order and

Judgment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to Richard L. Cohen Family, LLC, owner of 514-530 Peninsula Boulevard, a total of \$10,500.00, to resolve the issue of the true tax assessment for the 2015/16 through 2019/20 tax years, payable in one lump payment of \$10,500.00, within 90 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment; and

BE IT FURTHER RESOLVED, that the issue of the prospective tax assessment for the tax years 2020/21, 2021/22 and 2022/23 will be a total of \$26,447 for Lot 152 and \$553 for Lot(s) 67, 146, 147, and that no protest will be filed by Richard L. Cohen Family, LLC, owner of 514-530 Peninsula Boulevard, Hempstead, NY, for the tax years 2020/21, 2021/22 and 2022/23; and

BE IT FURTHER RESOLVED, that refund interest is waived unless payment of the refund is delinquent; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Richard L. Cohen Family, LLC, owner of 514-530 Peninsula Boulevard, Hempstead, New York 11550, for the tax years 2015/16 through 2019/20, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

BE IT FURTHER RESOLVED, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Renfroe
Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

**TAX GRIEVANCE
HEARING SCHEDULED**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Stacey Hargraves, Assessor** that the Board of Trustees hereby approves Tax Grievance to be held on **Tuesday, February 18, 2020**, between the hours of 3:00 p.m. and 7:00 p.m., be set on which the Board of Trustees and Village Assessor shall hear grievances in regards to the **2020/21** Tentative Assessment Roll. Said hearing shall be held in the Village Board Room, at 99 James A. Garner Way, Hempstead, New York.

(Legal Notice to be published on December 20, 2019)

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

FIRE DEPT. MINUTES

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Mayor Ryan**, that the Board of Trustees hereby approves the Hempstead Fire Department Fire Council minutes as reviewed dated November 20, 2019.

Moved by Trustee Renfroe
Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

**CHRISTOPHER J. TODD
IDA APPOINTMENT**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Don Ryan, Mayor**, the Board of Trustees hereby appoints **Christopher J. Todd** to the Nassau County Industrial Development Agency when reviewing applications and approving PILOT agreements for projects located within the Village of Hempstead.

Moved by Trustee Renfroe
Seconded by Trustee Hobbs

AYES: Johnson, Renfroe and Mayor Ryan
NOES: Hobbs and Daniels

Motion passed

**WORKER'S COMP.
SETTLEMENT**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Gary Woo**, Deputy Village Treasurer, the Board of Trustees approves to settle the Worker's Compensation claim in a total amount of \$10,357.14 **be ratified.**

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

**WORKER'S COMP.
SETTLEMENT**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Gary Woo**, Deputy Village Treasurer, the Board of Trustees approves to settle the Worker's Compensation claim in a total amount of \$11,164.42 **be ratified.**

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

**WORKER'S COMP.
SETTLEMENT**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Gary Woo**, Deputy Village Treasurer, the Board of Trustees approves to settle the Worker's Compensation claim in a total amount of \$33,077.30 **be ratified.**

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor

Ryan
NOES: None

**TRAFFIC SAFETY BOARD
RECOMMENDATIONS**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Mary Burns**, Traffic and Safety Board Chairperson, the Board of Trustees would like to approve the following recommendations made by traffic safety board at their meeting held on **October 28, 2019**.

1. Repeal the “No Stopping Here to Corner” on the west side of NORTH FRANKLIN STREET, 35 feet north from the north curb line of Smith Street.
2. Install a “No Stopping Here to Corner” sign with an arrow pointing south on the west side of NORTH FRANKLIN STREET, 100 feet north from the north curb line of Smith Street.
3. Repeal the “No Parking Anytime” on the west side of NORTH FRANKLIN STREET, 45 feet north from the north curb line of Intersection Street.
4. Install a “No Stopping Here to Corner” sign with an arrow pointing south on the west side of NORTH FRANKLIN STREET, 100 feet north from the north curb line of Intersection Street.

Please note that regulations shall take effect, when signs or markings giving notice are thereof posted.

Moved by Trustee Daniels
Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor
Ryan
NOES: None

**TRAFFIC SAFETY BOARD
RECOMMENDATIONS**

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Mary Burns**, Traffic and Safety Board Chairperson, the Board of Trustees would like to approve the following recommendations made by traffic safety board at their meeting held on **November 25, 2019**.

1. Repeal the regulation of “No Parking Monday and Thursday” along the entire east side of Ingraham Lane.
2. Install signs indicating “No Parking, Mon, Wed, and Thurs, 7AM – 4PM” along the entire east side of Ingraham Lane.
3. Install an intersection warning sign indicating “Cross Traffic Does Not Stop” (W4-4p) below the Stop sign on eastbound WEIR STREET at Long Beach Road.
4. Install an intersection warning sign indicating “Cross Traffic Does Not Stop” (W4-4p) below the Stop sign on westbound WEIR STREET at Long Beach Road.
5. Install a “Stop Ahead” (W3-1) advance traffic control warning sign on eastbound WEIR STREET, at a point 200 feet west from the curb line of Long Beach Road.
6. Install a “Stop Ahead” (W3-1) advance traffic control warning sign on westbound WEIR STREET, at a point 100 feet east from the curb line of Long Beach Road.
7. Remove the “No Standing Here to Corner” sign on the west side of SURREY LANE, 110 feet north of the curb line of Fulton Avenue.
8. Install “No Stopping Anytime” signs on the west side of SURREY LANE from the north curb line of Fulton Avenue continuing to 160 feet north of the curb line of Fulton Avenue.
9. Install a “Right Curve” (W1-2) warning sign for southbound traffic on MAPLEWOOD AVENUE on the west side of MAPLEWOOD AVENUE opposite a point 125 feet north of the curb line of Oakmont Avenue.
10. Install a “Left Curve” (W1-2) warning sign on the south side of MAPLEWOOD AVENUE for eastbound traffic at a point 125 feet west of the curb line of Oakmont Avenue.

Please note that regulations shall take effect, when signs or markings giving notice are thereof posted.

Moved by Trustee Daniels
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

JESSICA ELLERBE

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Lael Von Elm**, Superintendent Fire Alarm, that the Board of Trustees hereby appoints and/or approves the following salary changes for certain full-time and part-time employees of the Incorporated Village of Hempstead as follows:

Name	Department/Title/Grade	Salary
Jessica Ellerbe 99 James A. Garner Way Hempstead, NY <i>(New Hire)</i>	Fire Alarm Fire Alarm Dispatcher Grade 12/0 N	\$57, 646 yr upon approval

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan
NOES: None

WILLIAM SMITH III

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Lael Von Elm**, Superintendent Fire Alarm, that the Board of Trustees hereby appoints and/or approves the following salary changes for certain full-time and part-time employees of the Incorporated Village of Hempstead as follows:

Name	Department/Title/Grade	Salary
William Smith III 99 James A. Garner Way Hempstead, NY <i>(New Hire)</i>	Fire Alarm Fire Alarm Dispatcher Grade 12/0 N	\$57, 646 yr upon Approval

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

SHERYL ROBERTS

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Kevin S. Colgan**, Assistant **Chief of Police** that the Board of Trustees hereby appoints and/or approves the following salary changes for certain full-time and part-time employees of the Incorporated Village of Hempstead as follows:

Name	Department/Title/Grade	Salary
Sheryl Roberts 99 James A. Garner Way Hempstead, NY <i>(Promotion)</i>	Police Department Detective I	\$144,424 yr upon Approval

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

JEANINE DESOUZA

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Verlene Holder**, Superintendent Tax and Water that the Board of Trustees hereby appoints and/or approves the following salary changes for certain full-time and part-time employees of the Incorporated Village of Hempstead as follows:

Name	Department/Title/Grade	Salary
Jeanine DeSouza 99 James A. Garner Way Hempstead, NY <i>(New Hire)</i>	Tax & Water Laborer-PT (Temporary)	\$14.91 hr upon Approval

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

CHECK WARRANT

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** all meeting bills, audited by the Board of Trustees on check warrant dated **December 17, 2019** be approved as previously reviewed.

Moved by Trustee Hobbs

Seconded by Trustee Renfroe

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

MEETING ADJOURNED

Clerks offers the following resolution for adoption

There being no other business to come before the Board, Trustee Renfroe moved to adjourn.

Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

Village Clerk

AGENDA –January 7, 2020

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_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** that authorization is hereby granted that the standard mileage rate paid to those Village employees using their personal auto, van, pick or panel truck for official Village business is 57.5 cents **per mile** effective date of this standard mileage rate be **January 1, 2020** through **December 31, 2020**.

Moved by Trustee _____

Seconded by Trustee _____

ASSESSMENT (GRIEVANCE DAY, FEBRUARY 18, 2020

_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Samantha Fountain, Deputy Village Clerk**, that the Board of Trustees hereby approves for the regularly scheduled meeting of the Board of Trustees to be held on **Tuesday, February 18, 2020** at 6:30 pm **be rescheduled** to **7:00 pm.**, to not conflict with Grievance Day.

Moved by Trustee _____

Seconded by Trustee _____

Clerk’s Office – Special Event, Comite Parada y Festival Centro Americano de NY Inc.

_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of Mayor Don Ryan to hold a Parade and Festival on Sunday, September 13, 2020 from 12:00 pm to 7:00 p.m. with a total cost of \$50,660.00 and the after calculations for 80% would be a total cost \$40,528.00 to be paid. The parade route will commence on Old Franklin Street and Union Place merge on to North Franklin Street and continue South towards Front Street, once it reaches Front Street it will continue East towards Main Street. The Festival will be held in Parking Field #1. Said permission is contingent upon: compliance with the rules and regulations of the Hempstead Police Department and all liability in connection with the holding of this event and observance of the Code of the Village of Hempstead as it applies to group gatherings of this type; the filling of all appropriate insurance as determined by the Board herein; and indemnification and the execution of a hold harmless agreement on such terms and conditions as may be acceptable to the Village Attorney.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

_____ **RESOLVED**, that upon the recommendation of **Cherice Vanderhall**, Village Attorney that the Board of Trustees hereby approves for the Village of Hempstead to enter into an agreement with Richard A. Comi d/b/a The Center for Municipal Solutions to assist, advise and represent the Village on matters relating to the preparation of a Wireless Telecommunications Facilities ordinance and reviewing and analyzing applications received by the Village for Wireless Telecommunications Facilities.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of Cherice P. Vanderhall, Village Attorney the Board of Trustees hereby approves the settlement of Tax Certiorari matter with Iron Development Corp., for the property known as 134 North Franklin St., Hempstead, New York in a total of \$61,000.00 for the tax years 2005/06 through 2019/20?

WHEREAS, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 400582/2016, in case entitled “In the Matter of Iron Development Corp., Petitioner, against The Board of Assessors and The Board of Assessment Review of the Village of Hempstead, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2005/06 tax year through 2019/20, for real property tax purposes, for the premises described as Section 34, Block 330, Lot 14, known as 134 North Franklin Street, Hempstead, New York 11550; and

WHEREAS, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to Iron Development Corp., owner of 134 North Franklin Street, a total of \$61,000.00, to resolve the issue of the true tax assessment for the 2005/06 through 2019/20 tax years, payable as follows: if the Village is in receipt of a certified copy of the duly signed and entered Order and Judgment by January 1, 2020, the first installment payment of \$30,500.00 shall be paid within 60 days of receipt by the Village of the Order and Judgment and Notice of Entry, and the second installment payment of \$30,500.00 shall be paid by July 31, 2020, or if the Village is in receipt of

the Order and Judgment and Notice of Entry after January 1, 2020, but before April 1, 2020, then the payment shall be paid in one lump sum of \$61,000.00 by September 30, 2020, or if the Village is in receipt of the Order and Judgment and Notice of Entry on or after April 1, 2020, the first installment payment of \$30,500.00 shall be paid within 90 days of receipt by the Village of the Order and Judgment and Notice of Entry, and the second installment payment of \$30,500.00 shall be paid by July 31, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to Iron Development Corp., owner of 134 North Franklin Street, a total of \$61,000.00 to resolve the issue of the true tax assessment for the 2005/06 through 2019/20 tax years, payable in installment payments, based on the following: if the Village is in receipt of a certified copy of the duly signed and entered Order and Judgment by January 1, 2020, the first installment payment of \$30,500.00 shall be paid within 60 days of receipt by the Village of the Order and Judgment and Notice of Entry, and the second installment payment of \$30,500.00 shall be paid by July 31, 2020, or if the Village is in receipt of the Order and Judgment and Notice of Entry after January 1, 2020, but before April 1, 2020, then the payment shall be paid in one lump sum of \$61,000.00 by September 30, 2020, or if should the Village receive the certified copy of the duly signed and entered Order and Judgment on or after April 1, 2020, the first installment payment of \$30,500.00 shall be paid within 90 days of receipt by the Village of the Order and Judgment and Notice of Entry, and the second installment payment of \$30,500.00 shall be paid by July 31, 2021; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Iron Development Corp., owner of 134 North Franklin Street, Hempstead, New York 11550, for the tax years 2005/06 through 2019/20 tax years, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

BE IT FURTHER RESOLVED, that the issue of the prospective tax assessment for the tax years will be \$17,500.00 and that no protest will be filed by Iron Development Corp., owner of 134 North Franklin Street, Hempstead, New York 11550, for the tax years 2020/21, 2021/22 and 2022/23; and

BE IT FURTHER RESOLVED, that refund interest is waived unless payment of the refund is delinquent; and

BE IT FURTHER RESOLVED, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

RESOLVED, that upon the recommendation of Cherice Vanderhall, Village Attorney to authorize settlement of Tax Certorari matter with Frontpage Realty, LLC., for the property known as 23 Front Street, Hempstead New York for tax years 2009/10 through 2019/20 in a total amount of \$35,000?

WHEREAS, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Index No. 400723/2013 in case entitled “In the Matter of the Application of Frontpage Realty, LLC, Petitioner, against the Board of Assessors and The Board of Assessment Review of the Village of Hempstead, Respondents”, and various other consolidated index numbers, to resolve the issue of the true assessment, both retroactively and prospectively, for the 2009/10 through 2019/20 tax years, for property tax purposes, for the premises described as Section 34, Block 295, Lots 42-43, known as 23 Front Street, Hempstead, New York, 11550; and

WHEREAS, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund Frontpage Realty, LLC, owner of 23 Front Street, a lump sum total of Thirty Five Thousand Dollars (\$35,000) without interest, to resolve the issue of the true tax assessment for the 2009/10 through 2019/20 tax years, payable by January 1, 2020, or within 90 days of the service of entry of the Order and

Judgment upon the Village, whichever is later;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to “The Litt Law Group LLC, as attorney” to Frontpage Realty, LLC, owner of 23 Front Street, a lump sum total of Thirty Five Thousand Dollars (\$35,000) without interest, to resolve the issue of the true tax assessment for the 2009/10 through 2019/20 tax years, payable by January 1, 2020, or within 90 days of the service of entry of the Order and Judgment upon the Village, whichever is later; and

BE IT FURTHER RESOLVED, that the assessed valuation for the 2020/21, 2021/22 and 2022/23 tax years shall be Forty Six Thousand Six Hundred and Twenty Dollars (\$46,620) and that no protest will be filed by Frontpage Realty, LLC, the owner of 23 Front Street, Hempstead, New York, for the 2020/21, 2021/22 and 2022/23 tax years; and

BE IT FURTHER REOLVED, that refund interest is waived; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Frontpage Realty, LLC, owner of 23 Front Street, Hempstead, New York, 11550, for the tax years 2009/10 through 2019/20, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

BE IT FURHER RESOLVED, that the Office of the Village Attorney, or its agent, is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee: _____

Seconded by Trustee: _____

AGENDA - January 7, 2020

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_____ Clerk offers the following resolution for adoption

_____**RESOLVED**, that upon the recommendation of **Gary Woo**, Deputy Village Comptroller, the Board of Trustees approves to settle the Worker's Compensation claim in a total amount of \$14,520.48 **be ratified**

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

WHEREAS, the office of the State Comptroller New York State & Local Retirement System requires that the Board of Trustees review and accept calendars submitted by Village Board members to determine their pension time; and

BE IT RESOLVED, that the Village of Hempstead, Location 40009, hereby establishes the standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employees' Retirement System (NYSLRS) based on the time keeping system record or the record of activities maintained and submitted by these officials to the Clerk's office.

NOW THEREFORE, the Board hereby acknowledges its reviews and acceptance of **Trustee Jeffery Daniels** calendar and authorizes the forwarding of same to the Office of the State Comptroller New York State & Local Retirement System.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

RESOLVED that upon the recommendation of Joey Simone, Superintendent of Building Department that the Electrical License Board recommends to the Mayor and Board of Trustees to authorize an issuance of Electrical licenses as Master or Emoplying Electricians to:

Robert Fink
99 James A. Garner Way
Hempstead, NY 11550

Elizardo Amaya
99 James A. Garner Way
Hempstead, NY 11550

Reynaldo Ortiz
99 James A. Garner Way
Hempstead NY 11550

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

WHEREAS, the office of the State Comptroller New York State & Local Retirement System requires that the Board of Trustees review and accept calendars submitted by Village Board members to determine their pension time; and

BE IT RESOLVED, that the Village of Hempstead, Location 40009, hereby establishes the standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employees' Retirement System (NYSLRS) based on the time keeping system record or the record of activities maintained and submitted by these officials to the Clerk's office.

NOW THEREFORE, the Board hereby acknowledges its reviews and acceptance of **Trustee Waylyn Hobbs Jr.** calendar and authorizes the forwarding of same to the Office of the State Comptroller New York State & Local Retirement System.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerk offers the following resolution for adoption

WHEREAS, the office of the State Comptroller New York State & Local Retirement System requires that the Board of Trustees review and accept calendars submitted by Village Board members to determine their pension time; and

BE IT RESOLVED, that the Village of Hempstead, Location 40009, hereby establishes the standard work days for elected and appointed officials and will report the days worked to the New York State and Local Employees' Retirement System (NYSLRS) based on the time keeping system record or the record of activities maintained and submitted by these officials to the Clerk's office.

NOW THEREFORE, the Board hereby acknowledges its reviews and acceptance of **Kelly Magee, Marcia Turner, Daniel Leo and Wayne Hall II** calendars and authorizes the forwarding of same to the Office of the State Comptroller New York State & Local Retirement System.

Moved by Trustee _____

Seconded by Trustee _____

_____ Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Lisa Barrington, Executive Director of Human Resources** that the Board of Trustees hereby approves the appointment of a position within the Inc. Village of Hempstead.

Name	Department/Title/Grade	Salary
Terry Durham	Public Works	\$57,045
99 James A. Garner Way	Automotive Mechanic	upon
Approval (New Hire)	Grade 111/0 New	

Seconded by Trustee _____

_____ Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Lisa Barrington, Executive Director of Human Resources** that the Board of Trustees hereby approves the appointment of a position within the Inc. Village of Hempstead.

Name	Department/Title/Grade	Salary
Monique Green 99 James A. Garner Way approval (New Hire)	Tax & Water Cashier Grade 5/0 New	\$47,972 yr upon

Seconded by Trustee _____

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** all meeting bills, audited by the Board of Trustees on check warrant dated **January 7, 2020** be approved as previously reviewed.

Moved by Trustee _____

Seconded by Trustee _____