



BOARD OF TRUSTEES'
REGULAR MEETING
TUESDAY, OCTOBER 19, 2021
6:30 p.m.

_____ **RESOLVED**, that upon the recommendation of **Stephany Braxton, Deputy Village Clerk** the Board of Trustees hereby waives a reading of the minutes of the **Regular meeting of October 5, 2021** and accepts them as reviewed.

Moved by Trustee _____ that the reading of the minutes of the **Regular meeting of October 5, 2021** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee _____

_____ Clerk wishes to report that Mayor Hobbs & Deputy Mayor Daniels have approved miscellaneous Business licenses as reviewed

General Business Licenses:

La Peninsula Inc. (Renewal)
Jose N. Maldonado
391 Peninsula Blvd

Lister Beauty Supply Inc. (Renewal)
Lister Philip
87 Main Street

Franklin Pen Agency Inc. (Renewal)
Robert Betman
369 Peninsula Blvd.

Makondo Restaurant (New)
Jorge A. Valencia
140 Front Street

New Vista Inc. Laundromat (Renewal)
Sai Qin Liu
141 Westbury Blvd

Family Dollar Stores of New York Inc. (Renewal)
Family Dollar Stores of New York Inc.
80 Clinton Street Unit B

Family Dollar Stores of New York Inc. (Renewal)
Family Dollar Stores of New York Inc.
555 Greenwich Street

Shipman's Pharmacy Inc. (Renewal)
Henry P. Cunningham
210 South Franklin Street

Fine Surgical Instruments (Renewal)
Mohammad Akram
50-54 Polk Ave

Preferred Pharmacy Inc. (Renewal)
Alex Abramovich
175 Fulton Ave

In the Kut Barber Shop (Renewal)
Marc Barrett
105 Westbury Blvd

D & G Laundromat Inc. (Renewal)
Estela Lino
165 Henry Street

My Sunshine Beauty Salon (Renewal)
Paulina Mardy
15 Front Street

Valucare Inc. (Renewal)
Alex Villier
550 Front Street

Health Acquisition Corp. dba Elara Caring (Renewal)
Lesly Nolan
175 Fulton Ave Suite 101

R & N Auto Repair (New Owner)
375 Clinton Street
Nilda Sanchez Cordova

USA Scrubs II Inc. (Renewal)
Kerin Bhati
173-A Fulton Ave

Atale Inc. Hair Salon (Renewal)
Essenam Sotome
46 Fulton Ave

_____ **RESOLVED**, that upon the recommendation of **Larry Lutz, Purchasing Agent** and **Lael Von Elm, Superintendent of Alarms**, that the Mayor and Board of Trustees hereby approve **Bid # 10 HEMV 2021/2022**, Time and Materials Antennae Bid in the Inc. Village of Hempstead to the lowest responsible bidder: **Allied Telecom Corp.**, 69 Wesley St., Unit 10, South Hackensack, NJ, 07606 in the amount of \$92/hour, 10% materials markup, \$1,000/day equipment, No Service Charge.

Moved by Trustee _____

Seconded by Trustee _____

____**RESOLVED**, that upon the recommendation of **Verlene Holder, Superintendent of Tax & Water Department**, the Board of Trustees authorizes the Superintendent of Tax and Water to enter into stipulations allowing homeowners the opportunity to make monthly installment payments on village owned tax liens.

Moved by Trustee _____

Seconded by Trustee _____

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE CODE OF INCORPORATED VILLAGE OF HEMPSTEAD TO ENACT A NEW CHAPTER 140 ARTICLE I (CANNABIS).

WHEREAS, The Village Board of Trustees desires to amend the Code of the Incorporated Village of Hempstead to opt out of the licensing and/or establishing retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Hempstead;

WHEREAS, pursuant to § 617.5 (c) 20 and 27 of SEQRA, regulations amending the Code of the Incorporated Village of Hempstead are “routine or continuing agency administration and management, not including new programs or major reordering of priorities” and “promulgation of the regulations, policies, procedures and legislative decisions in connection with any type II action,” and therefore, this proposed action, a Type II action, requires no further action pursuant to SEQRA.

**NOW, THEREFORE
THE VILLAGE BOARD OF TRUSTEES**

HEREBY SCHEDULES a public hearing to be held on the **1ST** day of **November 2021** at **5:30 p.m.** at the Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider adding **Chapter 140**, to the Hempstead Village Code

Moved by Trustee _____

Seconded by Trustee _____

Chapter 140. Cannabis

Article 1. Opt out of state licensing.

Section 140-1. Legislative Intent

It is the intent of the Village of Hempstead to prohibit the licensing and establishment of retail cannabis dispensaries and/or on-site cannabis consumption establishments within the Village of Hempstead. By the enactment of this local law, the Board of Trustees is exercising its authority to request, and is requesting, the New York State cannabis control board to prohibit the establishment within the boundaries of the Village of Hempstead of such retail dispensary licenses and/or on-site consumption licenses otherwise authorized pursuant to article four of the New York Cannabis Law.

Section 140-2. Authority

This local law is adopted pursuant to New York Cannabis Law § 131, which expressly authorizes cities and villages to opt-out and thereby prohibit, the issuance of licenses for, and the operation of, retail cannabis dispensaries and/or on-site cannabis consumption establishments within their boundaries.

Section 140-3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

- A. The Board of Trustees of the Village of Hempstead hereby opts-out of allowing retail cannabis dispensaries and/or on-site cannabis consumption establishments from locating and operating within the its boundaries.
- B. On or after the effective date of this section, no governmental agency shall approve or issue any license or other authority to permit, establish or operate any cannabis retail dispensary and/or cannabis on-site consumption establishment within the Village of Hempstead.
- C. No property or premises in the Village of Hempstead may be operated or used, in whole or in part, for a cannabis retail dispensary and/or cannabis on-site consumption establishment, as those terms are defined in the New York Cannabis Law.

Section 140-4. Penalties and Enforcement

This section shall be enforced by the Hempstead Police Department, any Police or Law Enforcement Agency or Department, and by the Hempstead Department of Buildings and Code Enforcement Officers of the Village of Hempstead.

Penalties for a violation of this Article shall be as follows:

1. The first offense shall be subject to a maximum fine of \$500.00 and/or fifteen (15) days in the Nassau County Correctional Center;
2. The second offense shall be subject to a maximum fine of \$1000.00 and/or fifteen (15) days in the Nassau County Correctional Center;
3. The third, and each subsequent offense shall be subject to a maximum fine of \$2000.00 and/or fifteen days in the Nassau County Correctional Center.

Section 140-5. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 140-6. Effective date

This local law shall take effect immediately upon filing with the Secretary of State. Pursuant to New York Cannabis Law § 131, this local law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition, or a referendum has been conducted approving this local law.

RESOLUTION SCHEDULING A PUBLIC HEARING TO CONSIDER AMENDING THE CODE OF INCORPORATED VILLAGE OF HEMPSTEAD CHAPTER 139 ENACTING ARTICLE XXVIII (MORATORIUM).

WHEREAS, pursuant to the Village Law of the State of New York, and to curtail the oversaturation of smoke shops/humidors within the Village of Hempstead, the Board of Trustees is considering a plan to revise the Zoning Laws of the Incorporated Village of Hempstead by adopting a comprehensive change to its current Zoning Code. Said Comprehensive Plan will involve a study of the market saturation of smoke shops and/or humidors within the Village of Hempstead;

WHEREAS, pursuant to § 617.5 (c) 20 and 27 of SEQRA, regulations amending the Code of the Incorporated Village of Hempstead are “routine or continuing agency administration and management, not including new programs or major reordering of priorities” and “promulgation of the regulations, policies, procedures and legislative decisions in connection with any type II action,” and therefore, this proposed action, a Type II action, requires no further action pursuant to SEQRA.

**NOW, THEREFORE
THE VILLAGE BOARD OF TRUSTEES**

HEREBY SCHEDULES a public hearing to be held on the **16th** day of **November, 2021** at **6:00 p.m.** at the Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider amending **Chapter 139, enacting Article XXVIII** of the Hempstead Village Code as follows:

Moved by Trustee _____

Seconded by Trustee _____

Article XXVIII Moratorium

§ 139-223 Moratorium on Smoke Shops and Humidors

- A. Intent. Pursuant to the authority of the Village Law of the State of New York, and to curtail the oversaturation of Smoke Shops/Humidors within the boundaries of the Incorporated Village of Hempstead, the Board of Trustees is considering a plan to revise the Zoning Laws of the Incorporated Village of Hempstead by adopting a comprehensive change to its current Zoning Code addressing the location of smoke shops/humidor. Therefore, it is the intent of the Board of Trustees to withhold all licensing and permits to businesses seeking open a smoke shop/humidor within the Village of Hempstead.
- B. The License Commissioner shall not issue any business license for the operating of any smoke shop/humidor for an initial period of one (1) year from the enactment of this section.
- C. This moratorium may be extended for an additional two years, in one-year increments, upon a resolution duly adopted by the Board of Trustees in the Village of Hempstead.
- D. The imposition of this section shall not affect application for which approval has been granted prior to the effective date of this section.

This Local Law shall take effect immediately upon filing in the Office of the Secretary of State of the State of New York.

_____ **RESOLVED**, that upon the recommendation of **Mayor Waylyn Hobbs Jr.**, the Board of Trustees hereby approves the rescheduling of the regular Board of Trustees meeting on Tuesday, **November 2, 2021** at **6:30 pm** to Monday, **November 1, 2021** at **6:30 pm** so as to not conflict with Election Day.

Moved by Trustee _____

Seconded by Trustee _____

____**RESOLVED**, that upon the recommendation of **Paul Johnson, Police Chief**, the Mayor hereby appoints and/or approves the following appointment to the position of Police Sergeant for the Incorporated Village of Hempstead.

Name	Department/Title/Grade	Base Salary
Scott Hovanec <i>(Promotion)</i>	Police Police Sergeant	\$165,367 yr upon Approval

Moved by Trustee _____

Seconded by Trustee _____

____**RESOLVED**, that upon the recommendation **Krichna Francois- Venant, Clerk to Village Justice**, the Mayor hereby appoint and/or approve the following appointment to the position of Typist-Clerk-PT for the Incorporated Village of Hempstead.

Name	Department/Title/Grade	Base Salary
Joshua Thomas <i>(New Hire)</i>	Village Court Typist-Clerk PT	\$14.91 hr upon Approval

Moved by Trustee _____

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 **October 19, 2021** be approved as previously reviewed.

Moved by Trustee _____

Seconded by Trustee _____