

Hempstead, New York

May 3, 2022

PUBLIC HEARING

A Public Hearing of the Board of Trustees of the Incorporated Village of Hempstead was held at the Board Room, 99 James A. Garner Way, NY 11550 at 6:15 p.m.

ROLL CALL

Trustee Daniels, Burroughs, Griffith, Boone; Mayor Hobbs

Also Present:

Keisha Marshall, Village Attorney
Stephany Braxton, Deputy Village Clerk

**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, May 3, 2022** at **6:15 p.m.** to consider denial of the Business License to **KJB Deli Holding Corp**, 40A North Franklin St, Hempstead, N.Y. 11550

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

WAYLYN HOBBS JR., MAYOR
PATRICIA PEREZ, VILLAGE CLERK

Dated: April 6, 2022
D/P: April 22, 2022

To consider revoking the Business License to **KJB Deli Holding Corp**, by the Incorporated Village of Hempstead.

Moved by Trustee Daniels that his hearing be closed.
Seconded by Trustee Boone

AYES: Trustees Daniels, Burroughs, Griffith, Boone;
Mayor Hobbs
NOES: None

Hempstead, New York

May 3, 2022

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, NY 11550 at 6:30 p.m.

**ROLL CALL
PRESENT
VIA ZOOM**

Trustee Griffith, Boone; Mayor Hobbs
Trustee Daniels, Burroughs

Also Present:

Keisha Marshall, Village Attorney
Stephany Braxton, Deputy Village Clerk

EXECUTIVE SESSION

Moved by Trustee Boone to enter into an executive session regarding a pending litigation settlement and a personnel matter.

Time 6:41 pm

Seconded by Trustee Griffith.

AYES: Trustees Daniels, Burroughs, Griffith, Boone;
Mayor Hobbs
NOES: None

Moved by Trustee Boone to come out of executive session.

Time 6:51 pm

Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor
Hobbs
NOES: None
ABSENT: Trustee Burroughs

EXECUTIVE SESSION

The Board wishes to approve pending litigation settlement that was discussed in Executive session.

Moved by Trustee Boone
Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor
Hobbs
NOES: None
ABSENT: Trustee Burroughs

EXECUTIVE SESSION

The Board wishes to approve personnel matter that was discussed in Executive Session.

Moved by Trustee Boone
Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor
Hobbs
NOES: None
ABSENT: Trustee Burroughs

**DR. GATES DAY
PROCLAMATION**

Clerks offers the following resolution for adoption:

WHEREAS, Dr. David B. Gates, II, a local civil rights activist, religious leader, community supporter, and an advocate for educational excellence contributed and sacrificed to make a difference for the Hempstead community; and

WHEREAS, Dr. David B. Gates, II, developed and motivated individuals to be the best they can be; and

WHEREAS, Dr. David B. Gates, II served as an example to all residents through his high level of personal achievement, leadership and powerful approach has made the Village of Hempstead very proud; and

WHEREAS, The Inc. Village of Hempstead recognizes Dr. David B. Gates, II for his visionary leadership and distinguished service; and

NOW THEREFORE, I, Waylyn Hobbs, Jr., Mayor of the Incorporated Village of Hempstead do hereby announce and proclaim to all citizens that **April 30**, is **Dr. David B. Gates, II Day**.

Mayor Waylyn Hobbs Jr.

Presentation of activities report by the public bodies of the Incorporated Village of Hempstead and have been submitted to the Board & are available on the village website.

Recreation and Parks Commission – Chairperson Vanessa Henry

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

Board of Zoning Appeals – Chairman Danny Leo

Planning Board – Chairperson Kennetha Pettus

Hempstead Housing Authority – Chairman Shereen Goodson

Community Development Agency – Commissioner Danielle Oglesby

Electrical Board – Ronald Magarie

Plumbing Board – Chairperson Kelly Magee

Historian - Reine Bethany

Hempstead Chamber of Commerce – Belinda Watkins

ACCEPTANCE OF MINUTES

Clerks offers the following resolution for adoption:

Moved by Trustee Daniels that the reading of the minutes of the **Regular meeting of April 19, 2022** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Boone

AYES: Trustees Daniels, Griffith, Boone; Mayor
Hobbs
NOES: None
ABSENT: Trustee Burroughs

**APPROVAL OF
MISCELLANEOUS LICENSE
AND PERMIT APPLICATIONS**

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

GENERAL BUSINESS:

Kobi Auto Collision and Paint Center Inc.
Yacor Zeituny
63 Smith Street

Victor Deli & Grocery
Victor G. Santana
148 Henry Street

Perfections Beauty Salon
Clairina Rene Poteau
312 Jerusalem Ave

Tres Sabores Restaurant
Alex Martinez
77 Main Street

El Rancho Catracho Restaurant
Nacis Santos
131 Jackson Street

The Family Barbershop NY Inc.
Seferino Baez-Garcia & Juan Carlos Hernandez
274 Jerusalem Ave

Shahd Mini Market Inc. Dba Galilee Mini Market (Change of Owner)
Asem Noman
235 South Franklin Street

Hercules Restaurant Inc.
Benjamin Hercules & Rina Calderon
226 South Franklin Street

Excelencia Barber Shop Inc.
Jennifer Reyes
400 Fulton Ave Ste. F

Behavioral Intervention Psychological Services P.C.
Dr. Kimberly Shamoun
22 West Columbia Street

LANDSCAPING:

Y & S Landscaping
Salustiano Rodriguez
17 Washburn Ave Freeport 11520

JFE Landscaping Inc.
Jorge A. Mancia
62 Lincoln Ave Roosevelt 11575

A & M Landscaping
Mark Carmichael
69 Prospect Street Roosevelt 11575

JUSTICE COURT (Monthly Report submitted by Village Justice Brianna A. Vaughan)

Report of the Village Justice for the month of **March 2022**

Total number of cases before the court 3,268

Total monies remitted to Village Comptroller \$329,814.85

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

176 FRONT ST.

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. 405401/19 in case entitled "In the Matter of 67 Newmans Realty 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 2018/19 through 2021/22 tax years, for real property tax purposes, for the premises described as Section 35, Block 328-01, Lot 448, known as 176 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 to 67 Newmans Realty LLC, owner of 176 Front Street a total of \$1,700.00, to resolve the issue of the true tax assessment for the 2018/19 through 2021/22 tax years, payable in one lump sum payment within 90 days of the Village's receipt of the certified order and Judgment that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to 67 Newmans Realty LLC, owner of 176 Front Street a total of \$1,700.00, to resolve the issue of the true tax assessment for the 2018/19 through 2021/22 tax years, payable in one lump sum payment within 90 days of the Village's receipt of the certified order and Judgment that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of 67 Newmans Realty LLC, owner of 176 Front Street, Hempstead, New York 11550, for the 2018/19 through 2021/22 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 2022/23, 2023/24 and 2024/25 will be \$16,750.00 and that no protest will be filed by 67 Newmans Realty LLC, owner of 176 Front Hempstead, New York 11550, for the tax years 2022/23, 2023/24 and 2024/25; and

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

BE IT FURTHER RESOLVED, that the Superintendent of Tax & Water is directed to issue an amended tax bill to reflect the reduction in assess value in the 2022/23 year's taxes; 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 Boone
Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None
ABSENT: Trustee Burroughs

**330 FULTON AVE.
VACATING TAXES**

Clerks offers the following resolution for adoption:

WHEREAS, Iglesia de Dios de La Profecia. (hereinafter referred to as "Iglesia Profecia"), a not-for-profit Church located at 330 Fulton Avenue, Hempstead, New York 11550, Section 34, Block 340, Lot 31, has always applied for and received tax exemption pursuant to NYRPTL; and

WHEREAS, Iglesia Profecia failed to file for a tax exemption for the tax years 2021 and 2022; and

WHEREAS, Section 420-a(11) of the Real Property Tax Law provides for a retroactive tax exemption for a religious institution provided it is acceptable to the Village Assessor; and

WHEREAS, the Assessor has advised that the retroactive tax exemption is acceptable to her, since Iglesia Profecia already has a tax exemption for 2021 and 2022.

NOW, THEREFORE, BE IT RESOLVED that a tax exemption is granted to Iglesia Profecia for tax years 2021 and 2022; and

BE IT FURTHER ADVISED that the Superintendent of Tax and Water is directed to vacate any and all tax obligations not yet ripe for lien status which may be

due regarding the said premises and all tax liens, for the premises described as 330 Fulton Ave, Hempstead, New York 11550, Section 34 Block 340 Lot 31.

Moved by Trustee Boone
Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None
ABSENT: Trustee Burroughs

**LOS AMIGOS DELI
DENIAL BUSINESS LICENSE**

Clerks offers the following resolution for adoption:

WHEREAS, the Village Clerk of the Incorporated Village of Hempstead pursuant to §86-5 of the Village Code denied the business license application of Los Amigos Deli Bodega Hispana Corp., (herein after “Los Amigos Deli”) seeking to conduct business at 156-158 Main Street, Hempstead, NY 11550.; and

WHEREAS, upon Los Amigos Deli’s request a public hearing was held on April 5, 2022, at 6:15 p.m.; and

WHEREAS, Los Amigos and its attorney appeared for said public hearing and appealed the Village Clerk’s denial of its business license application before the Mayor and Board of Trustees of the Incorporated Village of Hempstead; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Hempstead, hereby **upholds** the denial of Los Amigos Deli’s business license application.

Moved by Mayor Hobbs
Seconded by Trustee Boone

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None
ABSENT: Trustee Burroughs

**TRAFFIC & SAFETY BOARD
RECOMMENDATIONS**

Clerks offers the following resolution for adoption:

The following recommendations were made at the **Traffic Safety Board Meeting** held on **April 25, 2022**.

1. Remove all “No Parking 9AM – 4PM” signs along the north side of EAST MARSHALL STREET from South Franklin Street to 250 feet east of South Franklin Street.

2. Remove all “No Parking 8AM – 4PM” signs along the south side of EMERY STREET from South Franklin Street to 375 feet east of South Franklin Street.

3. Install a “No Parking Here to Corner” sign with an arrow pointing west on the north side of EAST MARSHALL STREET, 50 feet east of South Franklin Street.

4. Install a “No Parking Here to Corner” sign with an arrow pointing west on the south side of EMERY STREET, 66 feet east of South Franklin Street.

Moved by Trustee Griffith
Seconded by Trustee Boone

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None

SEBASTIAN W. NICHOLAS

Clerks offers the following resolution for adoption:

Moved by Trustee Boone that Sebastian W. Nicolas was accepted as a member of the Hempstead Fire Department by the Hempstead Fire Department Board of Fire Commissioners.

Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None

CHILD CARE COUNCIL OF NASSAU INC.

Clerks offers the following resolution for adoption:

Moved by Trustee Boone that authorization be granted for Child Care Council of Nassau Inc., 99 Quentin Roosevelt Blvd, Suite 201, Garden City, New York, 11530 to hold a Community Outreach Event on Saturday, August 13, 2022, (Rain Date August 20, 2022) **from 9:00 am to 5:00 pm** at Municipal Parking Field #1, with a total cost of \$1,134.00, to be paid 30 days prior to the event. 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.

Seconded by Trustee Daniels

AYES: Trustees Daniels, Boone, Burroughs; Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith

WORKERS COMPENSATION

Clerks offers the following resolution for adoption:

SETTLEMENT

RESOLVED, that upon the recommendation of **Gary Woo**, Deputy Village Treasurer, the Board of Trustees approve to settle the Worker's Compensation claim in a total amount of \$27,263.20

Moved by Trustee Boone
Seconded by Trustee Griffith

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None

CHECK WARRANT

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** all meeting bills, audited by the Board of Trustees on check warrant dated **May 3, 2022** be approved as previously reviewed.

Moved by Trustee Daniels
Seconded by Trustee Boone

AYES: Trustees Daniels, Griffith, Boone; Mayor Hobbs
NOES: None

MEETING ADJOURNED

Clerks offers the following resolution for adoption
There being no other business to come before the Board, Trustee Burroughs moved to adjourn.

Seconded by Trustee Griffith

AYES: Trustee Daniels, Burroughs, Griffith, Boone; Mayor Hobbs
NOES: None

Deputy Village Clerk