

Hempstead, New York

September 21, 2021

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 11550 at 6:30 p.m.

ROLL CALL

Trustees Daniels, Williams, and Mayor Hobbs
ABSENT: Trustee Griffith, Boone

Also Present:

Keisha Marshall, Village Attorney
Patricia Perez, Village Clerk

SALUTE TO THE FLAG

flag

Mayor Hobbs called the meeting to order and asked everyone present to rise and join in a salute to the

of the United States of America

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 September 7, 2021** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Williams

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

**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 Licenses:

Renewals:

K & B Rodriguez Corp. (Business & Cabaret: close 2am)
Idis Rodriguez
71 Main Street

Fancy Nail of Hempstead Inc. dba Garden City Nail Salon
Gao Hua Chen
137 Jackson Street

Elrac LLC
Tom Cantilli
197-185 North Franklin Street

Abby's Laundromat Inc.
Walter Cordero
650 Fulton Ave

Nail Trap
Tong Van Khanh
391 Fulton Ave

Orbelle Trade Inc.
Yossef Wasserman
347 Clinton Street

R & K 61 Corp. d/b/a Village Deli (Renewal)

Ranjit Singh
61 West Columbia Street

Chens China Taste Inc. (Renewal)
Wei Chen
389 Fulton Ave

Network Infrastructure -utility contractor (Renewal)
Patrick Clarke
94 Taft Ave

PIR Food Corp. d/b/a Kennedy Chicken Grill (Renewal)
Pir Mohammad
57 South Franklin Street

Geo Auto Collision Corp. (Change of Owner)
Geovanni Argudo
226 Main Street

La Fonda Deli Corp. (Renewal)
Ebert Bejarano Silva
401 Clinton Street

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

500 FULTON AVE.

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. 404619/18, in the case entitled “In the Matter of Apple West Company and Frederic J. Warmers (f/k/a Apple West Company), Petitioner, against The Board of Assessors and/or the Assessor of the Village of Hempstead and the Board of Assessment Review,” to resolve the issue of the true tax assessment, retroactively and prospectively, for the 2018/19 through 2021/22 tax years, for real property tax purposes, for the premises described as Section 34, Block 404, Lots 43, known as 500 Fulton Avenue, 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 Apple West Company and Frederic J. Warmers (f/k/a Apple West Company), owner (s) of 500 Fulton Avenue, a total of \$15,000.00, to resolve the issue of the true tax assessment for the 2018/19 through 2021/22 tax years, payable within 90 days after receipt by the Village of a 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, to refund to Apple West Company and Frederic J. Warmers (f/k/a Apple West Company), owner(s) of 500 Fulton Avenue, a total of \$15,000.00, to resolve the issue of the true tax assessment for the 2018/19 through 2021/22 tax years, payable within 90 days after receipt by the Village of a 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 refund interest is waived unless payment of the refund is delinquent; 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 \$19,830.00 and that no protest will be filed by Apple West Company and Frederic J. Warmers (f/k/a Apple West Company), owner(s) of property known as 500 Fulton Avenue, Hempstead, NY, for the tax years 2022/23, 2023/24, and 2024/25; and

BE IT FURTHER RESOLVED, that the exemption granted pursuant to Real Estate Property Tax Law Section 485-b as of tax year 2019/20 is rescinded for the remaining years of the exemption as of tax year 2022/23; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of 500 Fulton Avenue, Hempstead, New York 11550, for the tax years 2018/19 through 2021/22, 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 Daniels
Seconded by Trustee Williams

AYES: Trustee Williams, Daniels, Mayor Hobbs

NOES: None

ABSENT: Trustee Griffith, Boone

**INTERMUNICIPAL
COOPERATION AGREEMENT**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Keisha Marshall, Village Attorney**, the Board of Trustees hereby approve the execution of an Intermunicipal Cooperation Agreement between Nassau County and the Village of Hempstead for

funding of license plate readers to be placed throughout the Village.

WHEREAS, the Village will seek to procure license plate readers to be placed throughout the Village to read license plates as vehicles enter and leave the Village (“the Project”), thereby furthering the cooperation between the Village of Hempstead’s Police Department and Nassau County Police Department in cross-jurisdictional incidents; and

WHEREAS, the County shall provide up to THREE HUNDRED FIFTY-SEVEN THOUSAND EIGHT HUNDRED SEVENTY-SIX Dollars (\$357,876.00) to the Village for the purchase of goods and services in connection with the Project pursuant to the terms of the Intermunicipal Cooperation Agreement on file with the Village Clerk; and

WHEREAS, the Village of Hempstead has completed a review of the proposed Project pursuant to the applicable provisions of the New York Environmental Quality Review Act (SEQRA) and has thoroughly reviewed the environmental impact of the project and has determined that the project is a Type II action in accordance with section 617.5 of the Rules and Regulations adopted by the State Department of Environment Conservation.

NOW THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute said Intermunicipal Cooperation Agreement on behalf of the Village of Hempstead

Moved by Trustee Williams
Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

**SUPREME COLLISION
CONCEPTS**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Keisha Marshall, Village Attorney** that the Mayor and Board of Trustees hereby approve to enter into an agreement with Supreme Collision Concepts, 121 Bedell St., Hempstead, New York, 11550, to utilize thirteen (13) parking spaces, which are located in Parking Field #9 from October 1, 2021 through May 31, 2022.

Moved by Trustee Williams
Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None

ABSENT: Trustee Griffith, Boone

**POLICY & PROCEDURES
CORRECTIVE ACTION PLAN (CAP)**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** the Board of Trustees hereby approve the proposed Policies & Procedures (Federal Grants) with the Corrective Action Plan (CAP).

Moved by Trustee Daniels
Second by Trustee Williams

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

**BID #6 HEMV 2021/2022
BALTRAY ENTERPRISES**

Clerks offers the following resolution for adoption:

WHEREAS, on September 7, 2021, the Mayor and Board of Trustees approved Bid # 6 HEMV 2021/2022 Replacement of Automatic Transfer Switches in the Inc. Village of Hempstead to Baltray Enterprises dba Bancker Electric, the lowest responsible bidder in the amount of \$81,387.00; and

WHEREAS, after negotiations with Larry Lutz, Purchasing Agent, Baltray Enterprises dba Bancker Electric agreed to lower its bid price to \$80,000.00; and

WHEREAS, on September 13, 2021, the Board of Trustees were polled and approved the reduced amount of the bid from \$81, 387.00 to \$80,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that Bid # 6 HEMV 2021/2022, Replacement of Automatic Transfer Switch in the Inc. Village to the lowest responsible bidder Baltray Enterprises dba Bancker Electric, 171 Freeman Avenue, Islip, NY 11751 in the amount of \$80,000 **be ratified.**

Moved by Trustee Williams
Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

**BID #9 HEMV 2021/2022
LASER INDUSTRIES**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Larry Lutz, Purchasing Agent**, and **Frank Germinaro, Director of Public Works**, that the Mayor and Board of Trustees hereby approve **Bid # 9 HEMV 2021/2022**, Reconstruction of Elm Ave., (So. Franklin

St. to Laurel Ave.), Maple Ave., (So. Franklin St to Linden Pl.), Harold Ave., (Baldwin Rd. to Milburn Ave), and Westbury Blvd., (Bennet Ave. to Village Limit) in the Inc. Village of Hempstead to the lowest responsible bidder: **Laser Industries, Inc.**, 1775 Route 25, Ridge, NY, 11961, in the amount of \$2,918,769.00.

Moved by Trustee Daniels
Second by Trustee Williams

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

SALVATION ARMY

Clerks offers the following resolution for adoption:

Moved by Trustee Williams that authorization be granted for **The Salvation Army**, 65 Atlantic Ave, Hempstead, New York 11550 to hold a Back to School Event on Sunday, September 12, 2021 **from 1:30 pm to 3:30 pm** at parking lot across from 65 Atlantic Ave, at the total cost of \$240.00. 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. **To be ratified.**

Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

PUBLIC HEARING SCHEDULING

Clerks offers the following resolution for adoption:

ATTORNEY, the Board of Trustees hereby approve the scheduling of a public hearing to consider amending Chapter 92-2 of the Hempstead Village Code

WHEREAS, The Village Board of Trustees desires to amend the Code of the Incorporated Village of Hempstead so as to designate a residents-only permitted parking lot for commercial vehicles within the Village of Hempstead to remediate the issue of the parking of commercial vehicles on Village Streets.;

WHEREAS, pursuant to § 617.5 (c) 21 and 33 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 5th day of **October 2021** at **6:00 p.m.** at the Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider amending Chapter 92-2 of the Hempstead Village Code as follows:

Moved by Trustee Williams
Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

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 **September 21, 2021** be approved as previously reviewed.

Moved by Trustee Williams
Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

EXECUTIVE SESSION

Clerks offers the following resolution for adoption:

The Village Attorney would like to enter into an executive session at the September 21, 2021 Board of Trustees’ meeting regarding pending litigation.

Moved by Trustee Daniels to enter into an executive session regarding pending litigation.
Seconded by Trustee Williams

Time in 7:10 pm

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None
ABSENT: Trustee Griffith, Boone

Moved by Trustee Daniels to come out of executive session.
Seconded by Trustee Williams

Time in 7:14pm

AYES: Trustee Williams, Daniels, Mayor Hobbs
NOES: None

ABSENT: Trustee Griffith, Boone

**EXECUTIVE SESSION
APPROVAL**

Clerks offers the following resolution for adoption:

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

Moved by Trustee Daniels
Second by Trustee Williams

AYES: Trustee Williams, Daniels, Mayor Hobbs

NOES: None

ABSENT: Trustee Griffith, Boone

MEETING ADJOURNED

Clerks offers the following resolution for adoption

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

Seconded by Trustee Daniels

AYES: Trustee Williams, Daniels, Mayor Hobbs

NOES: None

ABSENT: Trustee Griffith, Boone

Village Clerk