

VILLAGE OF NEW HEMPSTEAD
108 OLD SCHOOLHOUSE RD.
NEW CITY, N.Y. 10956

BOARD OF TRUSTEES

REGULAR MEETING
MONDAY, FEBRUARY 27, 2017
7:30 P.M. – VILLAGE HALL

PRESENT

FRED BRINN, MAYOR
BRUCE MINSKY, DEPUTY MAYOR
ABE SICKER, TRUSTEE
ADAM REICH, TRUSTEE
SHALOM MINTZ, TRUSTEE

ABSENT

ALSO PRESENT

DENNIS MICHAELS, VILLAGE ATTORNEY
JOHN LANGE, VILLAGE PLANNER
CAROLE VAZQUEZ, VILLAGE CLERK-TREASURER
LORI BELLO, DEPUTY VILLAGE CLERK-TREASURER

Pledge of Allegiance

Roll Call

Open Floor – Public participation

Stephen Geist, 7 Kingston Dr. – wants transparency increased – agendas in a timely way – documents should be made available – documents made available to the public – make draft laws relevant – available to public – newsletter is useful – last one was 3/2016 – there is a rumor that the Village is considering creating a zoning category for neighborhood commercial areas. It would make sense to announce the fact that this is under consideration.

Mayor Brinn thanked Mr. Geist for his interest – the Board tries to get the agendas out in a timely fashion – With all the things going on in the Village, there are constant changes – Mayor Brinn agreed the newsletter is overdue.

Mayor stated last meeting was a little out of control – if anyone on the Board wants to address anyone, they are to ask the Mayor first – Also if the clerks or professionals want to speak, they ask first – “do not talk over anyone”, “do not interrupt anyone “ –

Mayor Brinn offered the following motion, which was seconded by Trustee Mintz:

Resolution #BOT 2017-16

Resolved, that the Board of Trustees hereby goes into Executive Session to discuss personnel matters. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Trustee Sicker offered the following motion, which was seconded by Deputy Mayor Minsky:

Resolution # BOT 2017-17

Resolved, that the Board of Trustees hereby comes out of Executive Session – No action was taken. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Resolution approving abstract of audited vouchers.

Trustee Mintz offered the following motion, which was seconded by Deputy Mayor Minsky:

Resolution # BOT 2017-18

Resolved, that the Abstract of Audited claim numbers 17363 through 17400 in the amount of \$78,826.09 are hereby approved. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Resolution approving minutes of January 30, 2017

Trustee Sicker offered the following motion, which was seconded by Deputy Mayor Minsky:

Resolution # BOT 2017-19

Resolved, that the minutes of the meeting of January 30, 2017 are hereby approved and the reading of said minutes be waived. Mayor Brinn called for a vote and the vote was 4-0. Trustee Reich was not in attendance at that meeting. The resolution was adopted.

Mayor's Report

Mayor Brinn asked Joel Grossbarth to review the General Code to update and put in order.

Trustee Sicker offered the following motion, which was seconded by Deputy Mayor Minsky:

Resolution # BOT 2017-20

Resolved, that the Board of Trustee of the Village of New Hempstead hereby authorizes Joel Grossbarth to review and update the General Code not to exceed 10 hours of work at his usual fee of \$50 per hour. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Trustee's Report

Discussion regarding putting sidewalks along certain roads. The matter was referred to the Engineer.

Continuation of Public Hearing for Local Law #1 of 2017 – Place of Assembly.

Mayor Brinn offered the following motion, which was seconded by Deputy Mayor Minsky

Resolution # BOT 2017-21

Resolved, that the Board of Trustees of the Village of New Hempstead, pursuant to Part 617 of the implementation regulations pertaining to Article (State Environmental Quality Review Act) SEQRA of the New York State Environmental Conservation Law, declares itself Lead Agency and is considering the adoption of an amendment to Local Law #11 of 1984, which is the Village's Zoning Law, to add a new special permit use – Place of Assembly and also to consider the repeal of Local Law #2 known as House of Worship and Local Law #1 Gathering Place. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Discussion regarding Place of Assembly and Gathering Place.

Mayor Brinn stated the main concern of the Board is fire, safety and parking issues. It doesn't matter whether it is a cooking class, card club or religious use.

Trustee Sicker offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-22

Resolved, that the Public Hearing for Local Law #1 of 2017 – Place of Assembly, is hereby opened. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Lou Zummo – Fire Inspector, Code Inspector for the Villages of Pomona and Airmont – gave a report on the rules for Gathering Area.

Mayor Brinn offered the following motion, which was seconded by Trustee Sicker:

Resolution # BOT 2017-23

Resolved, pursuant to the State Environmental Quality Review Act ("SEQRA"), the proposed action by the Village Board of Trustees to consider the adoption of a text amendment to Local Law #11 of 1984 (The Village's Zoning Law), so as to add a new Special Permit Use to be known as Place of Assembly, and also to consider contemporaneously, the repeal of Local Law #1 of 2015 known as Gathering Place, and Local Law #2 of 2015 known as Local House of Worship, is hereby classified as an Unlisted action as defined by SEQRA Regulation 617.4; no agency, other than the Village Board of Trustees and the Rockland County Department of Planning, will have any significant involvement in the review process, pursuant to SEQRA Regulation 617.6; and this Board hereby declares itself as Lead Agency. Mayor Brinn called for a vote and the vote was 4-0. Deputy Mayor Minsky Abstained. The Resolution was adopted.

Discussion regarding "repeal" or "replace" the current Local Laws.

A Narrative prepared by John Lange was also discussed.

Deputy Mayor Minsky objects to the process and the narrative. He does not support it.

Attorney Michaels stated the Board does not have enough information to reasonably render an environmental determination.

The Board members were not in agreement as to whether there was enough information to bring the matter to a vote tonight.

Mayor Brinn stated he feels there is a need for this type of situation in the Village. This law is to prevent illegal situations and to insure that this type of usage adhere to all Fire & State Codes. This is not the type of Local like Commercial Zone, multi-family zone, light office zone, etc. We know the need exists. It allows people to have places of assembly that are controlled, subject to State Code, annual inspections, etc.

Attorney Michaels stated it is the Lead Agency who presents this document. The Village Planner has prepared it, but the Board can make changes.

Deputy Mayor Minsky stated items 1-9 in the narrative are assumptions. They should be evaluated one by one.

Attorney Michaels stated the Board is evaluating a Local Law.

The assumptions/evaluations regarding the terms of environmental significance were reviewed by the Board; water consumption & sewage generation, stormwater compliance, parking requirements. "If parking becomes an issue, the Bldg. Inspector may inspect and report to the Board of Trustees under Section 6.6.1 of the Village Zoning Law". The Special Permit shall expire if the required improvements are not complied with throughout the duration of the Special Permit use. The Bldg. Inspector may inspect and report to the Board of Trustees any potential violation of the Special Permit. #4 of the report is acceptable. #5, If any Place of Assembly use creates a conflict with neighbors, the Bldg. Inspector will inspect and report to the Board of Trustees any potential violations of the Special Permit. #6, #7, #8 & #9 are acceptable as is.

Mayor Brinn offered the following motion, which was seconded by Trustee Sicker:

Resolution # BOT 2017-24

Resolved, that the Board of Trustees of the Village of New Hempstead hereby adopts #1 and #2 of the SEQRA short form as prepared by Village Planner John Lange and as modified by the Board of Trustees as recited by Village Attorney Dennis Michaels. Mayor Brinn called for a vote and the vote was 4 ayes, 1 nay. (Deputy Mayor Minsky voted nay). The resolution was adopted.

Mayor Brinn read into the record a letter from Rockland County Sewer District #1 dated Feb. 23, 2017 And a letter from Rockland County Dept. of Planning dated January 9, 2017. Same will be annexed to and made a part of this record.

Mayor Brinn offered the following motion, which was seconded by Trustee Sicker:

Resolution # BOT 2017-25

Resolved, that the Board of Trustees entered into Executive Session. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Mayor Brinn offered the following motion, which was seconded by Trustee Sicker:

Resolution # BOT 2017-26

Resolved, that the Board of Trustees come out of Executive Session. No action was taken. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Trustee Sicker offered the following motion, which was seconded by Trustee Mintz:

Resolution # BOT 2017-27

Resolved, that the public hearing on Local Law 1 of 2017, Place of Assembly will remain open until March 14, 2017; 7:30 p.m. Village Hall. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Trustee Mintz offered the following motion, which was seconded by Trustee Sicker:

Resolution # BOT 2017-28

Resolved, that the meeting held by the Board of Trustees of the Village of New Hempstead is hereby adjourned. Mayor Brinn called for a vote and the vote was 5-0. The resolution was adopted.

Respectfully submitted,

Carole Vazquez, Village Clerk-Treasurer

LPM