

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

**BOARD OF TRUSTEES**

REGULAR MEETING  
THURSDAY, MARCH 31, 2016  
7:30 P.M. – VILLAGE HALL

PRESENT

FRED BRINN, MAYOR  
SOLOMON FUERST, DEPUTY MAYOR  
DAVID WEISS, TRUSTEE  
PAUL MUNDT, TRUSTEE

ABSENT

BRUCE MINSKY, TRUSTEE

**DRAFT – unadopted due to  
lack of quorum**

ALSO PRESENT

STEVE SILVERBERG, VILLAGE ATTORNEY  
CAROLE VAZQUEZ, VILLAGE CLERK-TREASURER  
LORI BELLO, DEPUTY VILLAGE CLERK-TREASURER

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PLEDGE OF ALLEGIANCE

ROLL CALL

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**Open floor – Public participation**

Stephen Geis

7 Kingston Dr. – Questioned why the Board chose to have Sol Fuerst on the Zoning Board as he is in the real estate business.

Attorney Silverberg stated it is typical to have lawyers, architects, surveyors, etc, on the Zoning Board as they are involved in development and they have knowledge of development. If someone has a specific conflict they are supposed to recuse themselves.

Jennifer Eisenstein

8 Pasadena Pl. – asked about changes in the agenda

Larry Strack

7 Rovitz Place – was concerned about housing – when he moved here the smallest lot was .06 of an acre – he is opposed to entry level housing – he does not want a large population. He feels the Board lacks transparency – the public does not know what a MS4 is. He stated the public is eventually going to replace the entire Board - they are putting together a Political Action Committee to get back to the original reason why the Village was founded.

Mayor Brinn asked why the Village was founded.

Mr. Strack stated the Village was founded in order to keep the Village a single family community. The Village has no identifiable center – that’s what we want. Years ago he suggested a community bulletin board – put up a sign at each gateway – The Village of New Hempstead.

Navarro

5 Lori Ct. – One of the four houses that are impacted by the stadium – when they bought their house they were told that the property between Pomona Rd. and our houses was going to be kept pristine and nothing was to be built there. Now he sees they want a hotel there. Why not tell us? That’s the back of their property. There is supposed to be nothing but one family homes.

Daniel Johnson- 21 David Dr. – No idea what is going on with the Matterhorn property. The Sr. Citizens property is about finished. Not sure how many houses there are there. A hotel a block away? Next week there is a hearing about a Yeshiva. The traffic is terrible – Takes him a half hour to go one block at 7:00 PM. Unbelievable to put 2000 people in a 2 mile area.

Adam Perez

13 Lori Court – Moved here 5 years ago – Loves the suburban area – stadium was already built – the noise from the stadium is horrendous – extra innings; fireworks go on late – road work long overdue – “spotty” road work – pay a lot of taxes – voices must be heard. – fireworks have to be on time –

Stewart Schwartz

189 Summit Park Rd. – Wanted to know if anyone sitting there was within 1 mile of the ball park. All of the new development is in one concentrated area. Summit Park Rd. is going to be bumper to bumper traffic – Have to take this into consideration when allowing further development.

Althea Mundy

1 Elizabeth Ct. – Their road not paved since the development was put in – (over 25 years ago) Drainage is sinking – all are tax payers – have children who want to ride their bikes – they can’t with all the holes – trash needs to be picked up – there is a water problem on Rte. 45 – it turns to ice in winter. We put you people in the position to take care of these things; to protect our interest.

Mayor Brinn stated the website was created for transparency. All agendas are on it, all minutes are on it, everything the Village proposes to do is on it.

Mr. Strack complained about the fact he can’t find things on the website. Public notices should be on the website. Complained about the traffic conditions on Rovitz Place – wants no parking signs and no standing signs on both sides of the street. Old Schoolhouse Rd. looks like a mine field. Should not have to make phone calls ourselves. Problems should be taken care of by the Village officials.

Navarro – would be willing to pay for a handbook of New Hempstead call #'s. i.e. sewer problem - call this number; road problem – call this number, etc. Explain rumors in the newsletter.

Mayor Brinn stated the current Board is 100% against overdevelopment in this Village. There has to be reasonable development. The Master Plan was created to look at certain parcels that that were currently in the Village that could become potential sites for development in the future. Not that we were identifying them as development sites.

Schools – schools are being sold for lack of whatever may be – there could come a time when a school is sold. It could be bought and there could be a potential application for a development site. By looking at what the potential development of the site could wind up being, we wanted to do something in a zoning way now to prevent overdevelopment. The N.Y. Golf course – the statement was made that they were looking to do overdevelopment on Union and Brick Church Rd. – completely 100% false – a false statement. The golf course was being identified in the Master Plan to protect overdevelopment. The Master Plan is a thought process. We are looking to do things in a way that fits into our budget. Otherwise, taxes will go up dramatically. Since the inception of the Village, the Mayor has chosen several roads, based upon a report that is generated by the Town of Ramapo. It is a number system. Based upon that report, the Mayor chooses what roads are to be done. We can’t do every road. We also obtain grants. It cost \$150,000 to do Union Rd. from Grandview to Michael St. This Board got that grant. The budget is on line for the first time in 25 years. Most of you here have never been to a Board meeting before. If people have a problem. Contact your neighbors. If everyone wants the same thing, the Board will help you solve the problem.

Mayor Brinn also stated the Master Plan, as it is shown now, reflects current zoning. The identifiable areas were potential development sites that we would need to look into to prevent overdevelopment and to create possible rateables such as a commercial, like on the corner of 306 and Grandview, the potential of Rte. 45 and things like that so that we can do more things. With more rateables, that is more tax money. More tax money means more roads can be done.

The reason the first Master Plan meeting was at 6:00 is that we expected it to be a long meeting. There was no conspiracy involved. There has never been a more transparent Board of Trustees until I, (Mayor Brinn) and this Board of Trustees came into office. We are establishing our own court to control our own destiny.

Mr. Getz –Possible different conception of over development – the Board seems to be sympathetic to multi-family development – The people of this Village do not want to see that kind of multi-family housing.

Mayor Brinn stated he believes there is a need for that type of development. A CDC meeting is not an application.

Attorney Silverberg stated a school is a permitted use in the zone. (referring to the current application that is coming up before the Planning Board next week; Ateres Bais Yaakov)

Deputy Mayor Fuerst offered some thoughts on the Master Plan. He stated initially the purpose of the Master Plan was to open up ideas with public participation, to plan your own destiny in terms of what is going to happen in the Village in different areas. There are large parcels that are going to be applications. Some that we are going to be able to turn down and some that we are not going to be able to turn down. There is everything in between. The idea of multi-family housing, townhouses, different type of housing, entry levels – all those are different concepts and ideas but they don't address what density would be permitted anyway. Just because this developer asked for 400 units or apartments, it does not mean that someone else wants it. The value of land has gone up. People are going to come up with different ideas. If it is not sold for one use, another use will come up.

Mayor Brinn stated nothing in the Village is done without public participation through the public hearing process.

Althea Mundy – wanted to know if there would be more than one public hearing on the master plan. Felt it was being rushed.

Attorney Silverberg stated there will be additional informational meetings. If they decide to change the zoning – there will be a specific proposal, environmental studies, additional meetings – plenty of time for the public to participate; even get together and hire their own planner if they so desire.

Albert Triana

4 Carole Lane – Thanks for all the things that have been done – He feels that before property such as Matterhorn is purchased, the buyer should find out what the property is zoned for – Inconvenienced by the stadium. He came here because he is concerned. What else is going to be built? More is not always better. Too much concentrated in one area. Takes pride in living in the Village of New Hempstead. Appreciates what the Board has done in the past.

Navarro – has a Masters in Engineering – Spoke about traffic control; mostly traffic coming from the stadium after the games. Why can't the Engineers figure out how to control the pedestrian crossings and the time it takes for a certain number of cars to leave the area.

Mayor Brinn closed the open floor – public participation.

#### **Public Discussion on MS4 –**

Mayor Brinn explained that the MS4 is a Storm Water Management Plan that the Village has to do every year. We have to be sure that our catch basins and everywhere that the drainage drains into the main arteries, is clear of pollutants, they are not blocked, and that there is nothing wrong with the infrastructure that allows typical rainwater to go into these catch basins, which eventually drain into our water system. We need to know if people are throwing the wrong things in there. We are required by State Law to take care of this every year.

Deputy Mayor Fuerst offered the following motion, which was seconded by Trustee Weiss:

#### Resolution # BOT 2016-27

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes the Mayor to sign MS4 contract with Brooker Engineering PLLC at a cost not to exceed \$1200.00.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Mayor appoints Solomon Fuerst as Zoning Board member to fill a vacancy beginning on April 1, 2016 to expire April 2020.**

Trustee Weiss offered the following motion, which was seconded by Trustee Mundt:

Resolution # BOT 2016-28

Resolved, that Mayor's appointment of Solomon Fuerst as Zoning Board member to fill a vacancy beginning on April 1, 2016 to expire April 2020 is hereby approved.

Mayor Brinn called for a vote and the vote was as follows: Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 3-0.

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**Mayor appoints Lori Bello as Deputy Clerk/Treasurer effective March 31, 2016 for a one (1) year term to expire at the 2017 reorganizational meeting.**

Deputy Mayor Fuerst offered the following motion, which was seconded by Trustee Weiss:

Resolution # BOT 2016-29

Resolved, that Mayor's appointment of Lori Bello as Deputy Clerk/Treasurer effective March 31, 2016 for a one (1) year term to expire at the 2017 reorganizational meeting is hereby approved.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Mundt, aye, Weiss, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Public hearing on Local Law 1-2016**

Ms. Vazquez stated the notice for public hearing appeared in the Journal News on Feb. 17, 2016. The affidavits of notice and posting were timely.

Deputy Fuerst offered the following motion, which was seconded by Trustee Weiss:

Resolution # BOT 2016-30

Resolved, that the public hearing on Local Law 1-2016 is hereby opened.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Mundt, aye, Weiss, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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Attorney Silverberg explained Visions occupies a certain property. They have been there since 1951. Because, when they started operating, they were known as a legal non-conforming use, they pre-exist the zoning. Therefore, they are legal, but any changes they want to make in their operation require either a variance or a change in the zoning law. Since they want to continue their operation and occupy this fairly large parcel of land, so that it's not over developed, they came to the Village for some discussions on how we might modify the zoning to allow them to continue to operate and make the minor changes that they want to make in their operation so that they will be legal without having to go to the Zoning Board and doing it in a piece meal way. That is the purpose of this local law. It required that they have a site plan review and that they get a special permit from the Village Board before they can operate to be certain that they meet the criteria that is in the ordinance. The purpose of this hearing tonight is to consider the zoning change and to begin to consider their special permit application. Nothing will be approved tonight because there is a State Law requirement that a 30 day notice be sent to the County Planning Department and various other adjoining municipalities. Because of changes that were made in the draft of the law, that notice did not go out until March 4<sup>th</sup>, which is less than 30 days. Therefore, there can be no approval until 30 days have passed in order to give the other municipalities an opportunity to make comments on this law. After this evening, it will be adjourned until the April 21<sup>st</sup> meeting of the Village Board for consideration.

Nancy Miller, Executive Director, CEO of Visions – Vacation Camp for the Blind

Ms Miller stated they are a non-profit agency, they serve people who are blind; all ages – they are not selling the property – they are not building housing on it – not bringing in traffic – The property used to be a children’s camp. Many of the buildings on the property are the same buildings that were there in 1951. We offer a temporary training program. People don’t live there. They want to build a new bldg. in the center of the property and use it on a year round basis. The total maximum number of people who will be using that building at any given time is 32. They only come in and out every 8 weeks. Traffic safety is very important to them. They have an open house once a year. Public is invited. The bldg. will be 2 stories built specifically for blind people. The property is 37 acres. There are 26 miles of guide rails. The guide rails are on paved pathways. They train blind people how to be independent.

David Lowinger

18 Sandy Brook Drive – Lives next door to property. Asked for a description of the entrance

Ms. Miller explained that the entrance is being widened to allow for busses.

Jennifer Eisenstein asked how the law will change.

Ms. Miller explained similar to Attorney Silverberg’s explanation.

Mayor Brinn asked Ms. Miller how long she has been in the process of this change.

Ms. Miller stated this is her 7<sup>th</sup> meeting.

Mayor Brinn noted for the public the process of change takes a long time.

Aron Saperstein – Is the change of use for that property only for the Camp for the Blind?

Attorney Silverberg stated if the use was the same – the building accommodates a certain number of people, there is a Special Permit that allows this operation. If someone else comes in and wants to operate there and they want to change it, they have to come in for their own special permit and the Village Board would have to examine it. If they wanted to change the building they would have to go to the Planning Board as well to get a site plan approval.

Marc Goldstein, Architect – This site is 37 acres – the site where they are going to build is right in the middle – 250’ from any property line; dining hall next door (1 story bldg.) building a small bldg. 17,000 sq. ft. - Class room, dining facilities, temporary housing bedrooms. 2<sup>nd</sup> story, more bedrooms and 2 additional classrooms.

Stu Schwartz – very familiar with the property since 1960 – wants to compliment Ms. Miller and her organization. One of the very few properties that has remained the same over 50 years. One question – standing on the right on Summit Park Rd. there is a dumpster. Could you cover up that stuff?

Ms. Miller said that whole area is going to change.

Trustee Weiss offered the following motion, which was seconded by Trustee Mundt:

Resolution # BOT 2016-31

Resolved, that the public hearing on Local Law 1-2016 is hereby adjourned until the next meeting of the Board of Trustees, which will be on April 21, 2016.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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Mayor Brinn noted the following correspondence with reference to the Visions’ application:

Town of Ramapo, Dept. of Public Works dated 1/5/16

County of Rockland Sewer District dated 1/25/16

Rockland County Dept. of Planning dated 3/7/16

Rockland County Sewer District dated 3/16/16

Nancy Miller stated she sent drawings to Anthony Mallia, Bldg. Inspector, 10 days ago. Looking forward to feedback.

**Public Hearing on special permit application of Visions.**

Deputy Mayor Fuerst offered the following motion, which was seconded by Trustee Weiss:

Resolution # BOT 2016-32

Resolved, that the public hearing on special permit application of Visions is hereby open.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye., Brinn, aye. The resolution was adopted by a vote of 4-0.

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Trustee Weiss offered the following motion, which was seconded by Deputy Mayor Fuerst:

Resolution # Bot 2016-33

Resolved, that the public hearing on special permit application of Visions is hereby adjourned until the next meeting of the Board of Trustees, which will be on April 21, 2016.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye., Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Resolution authorizing Northeast inspections LLC to do business with the Village of New Hempstead as electrical inspectors.**

Trustee Mundt offered the following motion, which was seconded by Trustee Weiss:

Resolution # BOT 2016-34

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes Northeast Inspections LLC to do business with the Village of New Hempstead as electrical inspectors.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Resolution rescheduling regular April 28, 2016 Board of Trustees meeting to April 21, 2016**

Trustee Weiss offered the following motion, which was seconded by Trustee Mundt:

Resolution # BOT 2016-35

Resolved, that the regular Board of Trustees meeting scheduled for April 28, 2016 is hereby rescheduled to April 21, 2016 due to a holiday on the 28<sup>th</sup>.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Resolution to authorize payment of \$2,400 to John Layne subject to submittal of proper voucher.**

Mayor Brinn explained that John Layne worked as Building Inspector filling in for our regular Building Inspector, who retired because of illness. Mr. Layne worked 96 hours for the Village during a 12 week period. We need to authorize payment subject to a submittal of proper voucher.

Trustee Mundt offered the following motion, which was seconded by Deputy Mayor Fuerst:

Resolution # BOT 2016-36

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes payment of \$2,400 to John Layne, subject to submittal of a proper voucher.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Resolution approving abstract of audited vouchers.**

Trustee Weiss offered the following motion, which was seconded by Trustee Mundt:

Resolution #BOT 2016-37

Resolved, that Abstract of Audited claim numbers 16933 through 16979 in the aggregate amount of \$63,088.14 is hereby approved.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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**Resolution approving minutes of February 25, 2016**

Deputy Mayor Fuerst offered the following motion, which was seconded by Trustee Weiss:

Resolution # BOT 2016-38

Resolved, that the minutes of the meeting of the Board of Trustees of the Village of New Hempstead, held on February 25, 2016, are hereby approved.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Brinn, aye. The resolution was adopted by a vote of 3-0. Trustee Mundt was not in attendance at that meeting.

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**Mayor's Report**

Thanked Sol and David for their dedication to the Village. Trustee Mundt has been on the Board for 22 years. Mayor Brinn thanked him for his dedication and loyalty. "Maybe you are all up for something better in life." Mayor Brinn said he appreciated all the assistance they have given him.

**Deputy Mayor's Report**

Deputy Mayor Fuerst stated he "hoped the amount of people that turned out for this election is an indication of people that actually start caring about what goes on in the Village" Hope the 3 people that are joining are going to be selfless, think about the residents in the Village, not of any personal agendas and actually do the work that they volunteered to do.

**Trustees Report**

David Weiss – "Thank you for the opportunity to serve"

**Motion to adjourn**

Trustee Weiss offered the following motion, which was seconded by Deputy Mayor Fuerst:

Resolution # BOT 2016-39

Resolved, that the meeting held by the Board of Trustees of the Village of New Hempstead on March 31, 2016 is hereby adjourned.

Mayor Brinn called for a vote and the vote was as follows: Fuerst, aye, Weiss, aye, Mundt, aye, Brinn, aye. The resolution was adopted by a vote of 4-0.

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Respectfully submitted,

Carole Vazquez, Village Clerk-Treasurer

Lpm