

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

**BOARD OF TRUSTEES**

REGULAR MEETING  
THURSDAY, MAY 26, 2016  
7:30 P.M. – VILLAGE HALL

PRESENT

FRED BRINN, MAYOR  
ADAM REICH, TRUSTEE  
SHALOM MINTZ, TRUSTEE  
AVROHAM SICKER, TRUSTEE

ABSENT

BRUCE MINSKY, TRUSTEE

ALSO PRESENT

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

PLEDGE OF ALLEGIANCE

ROLL CALL

**Open Floor** – No one from the public wished to speak

**Visions: Final Resolution on Special Permit Granted on April 21, 2016**

Mayor Brinn read the following Resolution into the record.

**VILLAGE BOARD RESOLUTION  
GRANTING SPECIAL USE  
PERMIT APPROVAL  
TO VISIONS CENTER ON BLINDNESS**

**WHEREAS**, the Board of Trustees (“Village Board”) has received an application for approval of a special permit use to operate a facility providing services to the blind, visually impaired and multiply disabled from Visions/Services for the Blind and Visually Impaired a/k/a Visions Center on Blindness (“Applicant”) for a 37 +/- acre property located on 111 Summit Park Road designated on the Tax Assessment Map as Section 42.09, Block 02, Lot 12 (the “Property”), and

**WHEREAS**, the Village Planning Board, acting as lead agency previously issued a SEQRA negative declaration for the project and is reviewing the site plan, and

**WHEREAS**, the Village Board has adopted legislation permitting the proposed use pursuant to a special permit, and

**WHEREAS**, Applicant has operated as a non-conforming use predating the formation of the Village in 1983 and the adoption of Local Law No. 11 of 1984 by the Village of New Hempstead, and

**WHEREAS**, Applicant operated the program as Vacation Camp for the Blind as a year- round overnight camp for blind adults and families for vocational rehabilitation, recreation, family camping and social services, using it one weekend a month September through June, one week in February and one week in April. Summers it was open for use 24/7 from late June to early September, and

**WHEREAS**, Applicant wishes to consolidate the buildings on the site in

accordance with its proposed site plan and utilize the property in accordance with the terms and conditions for operations consistent with the recently adopted Local Law No. 1 of 2016 permitting the proposed use of Applicant's Property ("Local Law No. 1 of 2016").

NOW THEREFORE IT IS

**RESOLVED:**

The within application for Special Use Permit Approval is granted with the following limitations and conditions:

1. This approval is made subject to obtaining a site plan approval from the Planning Board and, except as otherwise provided for herein, all work shall be performed and activities conducted in strict compliance with the conditions of the approvals granted by the Planning Board.
2. Occupancy, other than temporary residential occupancy consistent with Local Law No. 1 of 2016, shall be limited to no more than 3 full time caretakers in permanent occupancy at the Property, and all other employees shall be required to have official residences that are not at the Property.
3. No portion of the Property may be occupied without a valid certificate of occupancy.
4. In the event of transfer of ownership of the Property or operation of the facility this special permit shall automatically become null and void.
5. Failure to comply with any of the conditions of this approval, the site plan approval or any provision of Local Law No. 1 of 2016 related to the operation of these facilities pursuant to a special permit use shall be grounds for revocation of this special permit.
6. This resolution shall be of no force or effect unless and until there is full compliance with all of its requirements.

Dated as of April 21, 2016

---

Mayor

Motion made by Trustee Sicker and seconded by Trustee Mintz:

Resolution # BOT 2016-69

Resolved, that the above resolution be adopted by the Board of Trustees of the Village of New Hempstead.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

A signed copy of this resolution is attached to these minutes.

**Public Hearing on Special Permit application of Ateres Bais Yaakov.**

The applicants are seeking a Special Permit from the provisions of Section 5.1 and 6.9.4 of the New Hempstead Zoning Law for the construction, maintenance and use of a Religious Girls School. The property is located on the east side of Summit Park Road 30 feet south of David Drive: known as 200 Summit Park Road, New Hempstead, N.Y. 10977; designated on the Town of Ramapo tax maps as Section 42.06, Block 1, Lots 1.2, 1.3 and 1.4 in a 1R-50 Zoning District.

Present:

Ira Emanuel, Attorney for Applicant  
David Mayerfeld, Architect  
Rabbi Fink, Applicant

Attorney Silverberg stated this application requires a determination by SEQRA. It requires approval by the Planning Board, Zoning Board and the Village Board. The Planning Board has been acting as Lead Agency under SEQRA. They have not issued a negative declaration or a positive declaration, therefore no action can be taken tonight. Should this Board want the Planning Board to look into any environmental issues that it may have, tonight is a good time to do it.

Attorney Emanuel gave a summary of the project. He spoke about the prior approvals and the recent suggested changes by the CDC. (Community Development Committee).

David Mayerfeld showed a model to the Board.

Attorney Silverberg brought up two items that were discussed at the last Zoning Board Meeting; a variance for parking is needed and it was agreed that as a condition of any approval, they would not permit any students to drive to the site. That way there will not be additional cars coming to the site. Also, there were some questions about the basement area. There was also an agreement that the basement area would not be used for classroom space.

Rabbi Fink stated the school has been operating for 15 years. He stated there are 3 shifts per day. There are 14 classes – family oriented school – large population from New Hempstead – Monday – Friday, no Sunday sessions.

Attorney Emanuel stated the applicant feels he meets all the requirements needed for a variance. The applicant met with the Zoning Board of Appeals last night to begin the process for the variances needed. The number of variances needed for this application is less than what was previously approved.

Trustee Mintz recused himself from the application as his child goes to this school.

Mayor Brinn opened the public hearing.

Ms. Vazquez stated the public hearing notice appeared in the Journal News on May 12, 2016. The notices and postings were timely.

Deborah Hiller  
4 Westminster Way – Asked the size of the school.

Attorney Emanuel stated the enrollment is 420 girls – up to 450 .

Ms. Hiller also asked about the number of staff.

Rabbi Fink stated 75. They are in and out during the day.

Ms. Hiller stated Summit Park Road is a small road and she questioned this kind of traffic. She stated this is a large building, a lot of children, a lot of staff, cars; buses, small road.

Attorney Emanuel stated there is a traffic study. He stated Ms. Hiller was welcome to come to the Planning Board meetings.

Attorney Silverberg stated the next Planning Board meeting is June 1<sup>st</sup>.

Mayor Brinn stated that issues such as the above are Planning Board issues, but the Village Board can make recommendations to the Planning Board. He also stated that Cambridge Heights had to go through similar studies before they could build on Summit Park Road.

Helen Froman

9 Westminster Way – She stated Cambridge Heights is only 54 units and they don't have that kind of traffic going in and out. Half the people living there are snowbirds. There will be fumes from the buses. She does not feel a school belongs on that street. Mayor Brinn stated that the application including hours of operation, number of students, schedules, etc. is on file at Village Hall and residents are welcome to come in and look it over.

Brenda Yablon

4 Paddington Ct. – Concerned about a summer camp and recreation facilities; playground; How much of the property will be taken up by that?

Attorney Emanuel stated the playground area is a little over 31,000 sq. ft.

Rabbi Fink stated he presently runs a summer camp. He has his hands full with that. He is not looking to run another camp.

Mayor Brinn stated that if a Special Permit is granted for the school, it has to specifically state the intentions and use of the property. If summer camp is not approved, there can't be a summer camp.

Mayor Brinn also stated that the public hearings for the Planning Board and the Zoning Board of Appeals are both still open and there will be additional meetings for those. The time and dates of the meetings can be found on the website.

Brenda Yablon asked how far back from Summit Park Road was the playground.

Rabbi Fink stated 290 feet – hard to see it from the road.

Student Teacher ratio and parking spots were discussed. Also plans for cars coming in on holidays when there are no buses.

Larry Strack

7 Rovitz Place – asked if the school used NYS curriculum. Rabbi Fink stated "yes".

Mayor Brinn suggested the public keep note of meetings coming up with the Planning Board, Zoning Board and the Village Board. All concerns are taken seriously and will be addressed to the proper boards.

Jack Hiller

4 Westminster – there are three ways to get to the school

Mayor Brinn stated the school district determines the route

Potash

3 Pennington – we can do nothing – cannot stop the project – make the most of it.

Mayor Brinn stated the Villages have to be positive and accommodate the schools and places of worship under the RLUIPA law.

Attorney Silverberg stated the public needs to come to the meetings. If there is something specific that will be detrimental to the community, the Board will consider it.

Shlomo Pomerantz

Hillcrest Fire Dept. – Has the Board decided to make any changes to Summit Park Road in the area of the school? Widening, sidewalks?

Mayor Brinn stated that this project was fully approved 7 years ago. Same property, same number of kids. The difference now is that it's 5 acres vs. 10 acres. The traffic was no different, except that Matterhorn may have still been in business, Cambridge was not built and there was no need to widen at that time. However, Mayor Brinn thinks it is a good idea that can be discussed as a Board.

Mayor Brinn stated that the prior board started looking into area where sidewalks are needed.

Shlomo strongly suggested widening the road.

Harry Baker

Harry Baker Assoc. of New City – The baseball season started last week, it will close, unless there are playoffs, on Labor Day. Most of the time the school is open, the stadium is closed.

Aron Saperstein

4 Pennington Way – Asked if this company did the study on Grandview – the answer “no”

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

Resolution # BOT 2016-70

Resolved, that the public hearing on application of Ateres Bais Yaakov is hereby adjourned to a date certain of June 27, 2016 at 7:30.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution directing Ramapo Highway to dismantle “DEAF CHILD” sign on Rubinstein Court.**

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

Resolution # BOT 2016-71

Resolved, that the Board of Trustees of the Village of New Hempstead hereby requests the Town of Ramapo to remove the “DEAF CHILD” sign on Rubinstein Court, Spring Valley, N.Y.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution approving State Wide Inspection Services, Inc. to do electrical inspections in the Village of New Hempstead**

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

Resolution # BOT 2016-72

Resolved, that the Board of Trustees of the Village of New Hempstead hereby approves State Wide Inspection Services, Inc. to do electrical inspections in the Village of New Hempstead.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution authorizing the Mayor to sign a renewal agreement with Cornell Cooperative extension not to exceed \$1,000.00**

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

Resolution # BOT 2016-73

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes Mayor to sign a renewal agreement with Cornell Cooperative extension not to exceed \$1,000.00.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution appointing Maser Consultants P.C. as Special Engineer for the 2016 year.**  
Trustee Mintz offered the following motion, which was seconded by Trustee Reich:

Resolution # BOT 2016-74

Resolved, that the Board of Trustees of the Village of New Hempstead hereby appoints Maser Consultants P.C. as Special Engineer for the 2016 year.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution appointing Raphael Ziegler as Fire Inspector subject to Personnel Approval.**

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

Resolution # BOT 2016-75

Resolved, that the Board of Trustees of the Village of New Hempstead hereby appoints Raphael Ziegler as Fire Inspector subject to Personnel Approval.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution authorizing rental of a new copy machine at a rate of \$137.00 per month.**

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

Resolution # BOT 2016-76

Resolved, that the Board of Trustees of the Village of New Hempstead hereby authorizes the rental of a new copy machine at a rate of \$137.00 per month.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution approving insurance premiums for 2016-2017 as submitted by Binder Agency.**

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

Resolution # BOT 2016-77

Resolved, that the Board of Trustees of the Village of New Hempstead hereby approves insurance premiums for 2016-2017 as submitted by Binder Agency.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Resolution requiring additional procedures in granting site plan approvals.**

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

Resolution # BOT 2016-78

Resolved, that the Board of Trustees of the Village of New Hempstead hereby approves additional procedures in granting site plan approvals.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

A copy of the additional procedures is attached to and made a part of this record.

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

Resolution # BOT 2016-79

Resolved, that the Board of Trustees of the Village of New Hempstead hereby

sets a public hearing for June 27, 2016 for the purpose of adopting a Local Law covering the additional procedures in granting site plan approvals.  
Mayor Brinn called for a vote and the vote was 3-0. The resolution was adopted.

**Approval of Abstract of Audited Vouchers.**

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

Resolution # BOT 2016-80

Resolved, that Abstract of Audited claim numbers 17008 through 17046 in the aggregate amount of \$72,495.10 is hereby approved.

Mayor Brinn called for a vote and the vote was 3-0. The resolution was adopted.

**Approval of Minutes of April 21, 2016.**

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

Resolution # BOT 2016-81

Resolved, that the minutes of the meeting of the Board of Trustees of the Village of New Hempstead, held on April 21, 2016 are hereby approved as corrected.

Mayor Brinn called for a vote and the vote was 3-0. The resolution was adopted.

Shlomo Pomerantz suggested the Village look for a Building Inspector instead of using The Town of Ramapo.

Mayor Brinn asked that the Fire Department put this request in writing.

L. Strack

Rovitz Place – spoke about not being able to see at the intersection of Rovitz Place and Rte. 45 because of parked cars.

Mayor Brinn suggested writing a letter to the N.Y.S. Dept. of Transportation.

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

Resolution # BOT 2016-82

Resolved, that the Board of Trustees of the Village of New Hempstead hereby goes into executive session.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

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

Resolution # BOT 2016-83

Resolved, that the Board of Trustees of the Village of New Hempstead hereby comes out of executive session.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

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

Resolution # BOT 2016-84

Resolved, that the Board of Trustees of the Village of New Hempstead hereby appoints Dennis Michaels as the Village of Attorney for the Village of New Hempstead.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

**Mayor's Report** - Mayor Brinn presented Certificates of Completion for those who took the Rockland Municipal Planning Federation course. Hillel Kurzmann, Martin Leibowitz, Melvin Poliakoff, David Dahan and Carole Vazquez. – Congratulations to all

Need to follow up on Brockton Rd. "no parking" issue, where we would like to see crosswalks. Trustees should "drive around" and make recommendations.

Deputy Mayor's Report – none

Trustees' Report – none

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

Resolution # BOT 2016-85

Resolved, that the meeting of the Board of Trustees of the Village of New Hempstead, held on May 26, 2016 is hereby adjourned.

Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

Respectfully submitted,

Carole Vazquez, Village Clerk-Treasurer

Lpm