

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

BOARD OF TRUSTEES
VILLAGE HALL
SPECIAL MEETING
MARCH 13, 2017 – 8:08 P.M.

PRESENT

ABE SICKER, TRUSTEE
ADAM REICH, TRUSTEE
SHALOM MINTZ, TRUSTEE

ABSENT

Roll Call by Trustee Sicker

There was a notification of the meeting. The meeting is physically taking place outside of Village Hall. A copy of the resolution was circulated. The meeting is being held outside because the door to the Village Hall is locked. The Village was concerned with regard to employing Council that is experienced concerning issues of RLUIPA as well as land use and prior zoning and planning and that Council not make any undo remarks in public that may reflect adversely upon the Village. Based upon discussions within the Village, Trustee Sicker was asked to prepare a resolution for consideration at tonight's meeting. If the members have had a chance to read this resolution, it can be brought to a vote and this meeting can come to an end.

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

Resolution # BOT Special Meeting 2017-28A

Resolved, that the Special Meeting of the Board of Trustees of the Village of New Hempstead hereby goes into Executive Session to discuss a personnel issue. Trustee Sicker called for a vote and the vote was 3-0. The resolution was adopted.

The Board came out of Executive Session as 9:19.

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

Resolution # BOT Special Meeting 2017-28B

Resolved, that the Special Meeting of the Board of Trustees of the Village of New Hempstead hereby comes out of Executive Session. Trustee Sicker called for a vote and the vote was 3-0. The resolution was adopted.

Resolution with regard to retaining Counsel

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

Resolution # BOT Special Meeting 2017-28C

WHEREAS, the Village by its Board of Trustees ("Village Board") desires to retain the professional services of a Law Firm well versed in zoning, planning, land use, RLUIPA and other relevant laws, rules and regulations in a manner that is economical and efficient to provide the Board with independent legal advice at all times as well as a Law Firm that does not make undue public comments that may relate to confidential attorney-client communications; and

WHEREAS, the Village Board previously approved the appointment of Dennis Michaels, Esq. as Village Attorney at the May 26, 2016 Village Board Meeting, which appointment would expire no later than one year from the date of the appointment; and

WHEREAS, the Board of Trustees recognizes that all attorneys representing the Village need to refrain from making public comments that raise issues that are Village Board issues and should not be the subject of news media reports as reference in the March 10, 2017 Journal News report of comments made by Village Attorney Dennis Michaels; and

WHEREAS, the Village Board desires to retain Dennis E.A. Lynch with his Law Firm of Feerick Lynch MacCartney and Nugent, Esqs. ("Special Counsel") to undertake all legal services regarding religious land use issues, including but not limited to Ateres Bais Yaakov Academy of Rockland, and any changes in the Zoning Code for the Village, as well as such other matters as are directed by the Village Board from time-to-time; and all such services to be provided at the blended hourly rate of \$250 per hour, plus disbursements reasonably incurred.; and

WHEREAS, the Village Board desires to retain said Special Counsel forthwith; and

NOW, THEREFORE, it is resolved as follows:

Section 1. All "WHEREAS" paragraphs are incorporated herein by reference as though set forth in full herein.

Section 2. The Village Board hereby retains Special Counsel as set forth above and said retention of Special Counsel shall take place immediately.

Section 3. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows: Trustee Sicker, aye, Trustee Reich, aye, Trustee Mintz, aye. The vote was 3-0. The resolution was adopted.

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

Resolution # BOT 2017-28D

Resolved, that the meeting of the Board of Trustees of the Village of New Hempstead held on March 13, 2017 is hereby adjourned. Trustee Mintz called for a vote. The vote was 3-0. The resolution was adopted.

Respectfully submitted,

Lee Mazza, Secretary