

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

BOARD OF TRUSTEES

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

PRESENT

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

ABSENT

ADAM REICH, TRUSTEE

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

Norine Mundt – 690 New Hempstead Rd., Spring Valley, N.Y. – made reference to a letter dated January 19, 2017 addressed to Mayor Brinn regarding Yeshiva of Greater Monsey. She also asked for the Traffic Report.

Mayor Brinn stated Mrs. Mundt could “FOIL” the traffic report in the file. Regarding her other request, Mayor Brinn stated the professionals have to view the construction from the day it starts until the Certificate of Occupancy is issued. The building has to be built according to the plans that are filed with the Village and if anything is not in accordance, it would be noted and the applicant would be made to correct it.

Ted L’Estrange, 6 Jeffrey Ct., Otisville, N.Y. 10963 – he addressed the Board regarding what goes on in China regarding body organs.

Joe Hoch, 4 Flamingo Lane, New Hempstead, N.Y. – Wanted to know the status of Summit Park project.

Mayor Brinn stated the public will be informed of any changes in the application.

Moshe Shilglaser, 3 Flamingo Lane – wanted to make sure public is notified regarding new applications. (Summit Patio)

Public Hearing on Community Development Block Grant

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

Resolution # BOT 2017-3

Resolved, that the public hearing on Community Development Block Grant is hereby opened. 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 2017-4

Resolved, that the public hearing on Community Development Block Grant is hereby closed. Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

Teichman – 36 Pennington Way – Scheduling Public Hearing for March 27, 2017.

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

Resolution # BOT 2017-5

Resolved that the Board of Trustees of the Village of New Hempstead hereby schedules a public hearing on Teichman, 36 Pennington Way, New Hempstead, N.Y. for March 27, 2017. Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

Declaration of intent to be Lead Agency for Teichman, 36 Pennington Way, New Hempstead.

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

Resolution # BOT 2017-6

Resolved, that the Board of Trustees of the Village of New Hempstead hereby declares its intent to be Lead Agency for the application of Teichman, 36 Pennington Way, New Hempstead. Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

Attorney Michaels read the working titles/descriptions for the three Local Laws proposed by Ira Emanuel, Esq.

The drafts were presented by the applicant. They will, likely be modified. Attorney Michaels stated the drafts can be sent out if there are significant modifications enough to warrant being re-sent out to the County Planning Dept. and any other agencies required to see these local laws. Attorney Michaels suggested the three proposed Local Laws be referred to the Planning Board for their recommendation and to the Rockland County Planning Dept. for the GML 239-m review and issue its Notice of Intention to declare the BOT the SEQRA Lead Agency.

Deputy Mayor Minsky stated he was not comfortable sending the proposed Local Laws out until the Board has had a chance to review them.

Mayor Brinn stated there is work in progress for applications. The Board is trying to make the process go a little quicker by scheduling a public hearing for March 14th. If the applicant is unable to get their application in prior to 30 days, there will not be a public hearing on March 14th.

Deputy Mayor Minsky stated the rules should be the same for everyone. He is not in favor of approving a Local Law for a particular applicant.

Attorney Michaels stated it is a legislative act that you can completely dismiss. There are no proposed buildings to be built as part of this process that we are starting.

Deputy Mayor Minsky stated that is not true, this legislation is for this particular applicant, and did they prepare it? He stated he just saw it today for the first time. He has not even looked at it and all of a sudden this thing is going on the calendar on some fast track that no other resident in this Village has had.

Deputy Mayor Minsky stated he has an issue with people coming in and getting an accelerated process, special privilege that nobody else has had in this particular Village. He further stated, this particular applicant has been afforded special privileges throughout the process. You are affording this person special privilege that you afford every single resident who comes in here with an application whether complete or not who wants to propose a law whether that law is developed and finalized or not, you give them the same exact process and procedure as you are giving to this applicant. If not, you are giving someone a special privilege and discriminating against everyone else in this Village.

Trustee Sicker stated he would give every single resident in New Hempstead that comes in with any application or anything; if it is something you can fast track and we can work something out that they go through this procedure and they get everything right I would put them on the calendar.

Attorney Mele stated the 306 application was filed on Aug. 29, 2016. The Local Law is attached to it. She thinks it has been referred to the Planning Board. The Local Law is ready for circulation.

Mayor Brinn asked if the comments had been referred back to the applicant.

Attorney Michaels stated all that remains is the final tweeking of putting our proposal for the law in a frameable form to be sent out to the world. We can set a public hearing on that.

Mayor Brinn asked if all three applications would be ready in final form within the next 7 to 10 days?

Attorney Mele stated yes.

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

Resolution # BOT 2017-7

Resolved, that the Board of Trustees of the Village of New Hempstead hereby sets a public hearing on Grandview & Rte. 306 for March 14, 2017. (Special Meeting) 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 Sicker:

Resolution # BOT 2017-8

Resolved, that the Board of Trustees of the Village of New Hempstead hereby declares its intent to be Lead Agency pursuant to Part 617 of the implementation regulations pertaining to Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law with reference to the application of Grandview & Rte. 306. Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

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

Resolution # BOT 2017-9

Resolved, that the Board of Trustees of the Village of New Hempstead hereby refers the application of Grandview & Rte 306 to the Planning Board for their recommendation. Mayor Brinn called for a vote and the vote was 4-0. The resolution was adopted.

Proposed Local Law, to amend the Zoning Law to create a new "Neighborhood Commercial" (NC) Zoning District as a floating zone, by Petition of 306 Grandview Commons LLC, which petitioner is proposing an initial location at the intersection of Route 306 and Grandview Avenue.

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

Resolution # BOT 2017-9

Resolved, that the Board of Trustees of the Village of New Hempstead hereby refers the Proposed Local Law to amend the Zoning Law to create a new "Neighborhood Commercial" (NC) Zoning District as a floating zone, by Petition of 306 Grandview Commons LLC, which petitioner is proposing an initial location at the intersection of Route 306 and Grandview Avenue to the Planning Board for their recommendation. Mayor Brinn called for a vote and the vote was 3 Aye, 1 Nay (Deputy Mayor Mintz was not in favor of the resolution.) The resolution was adopted.

Discussion regarding the proposed Local Law.

Before the resolution, Deputy Mayor Minsky stated he is opposed to put something on the calendar that has not been submitted. If you do it for this particular applicant, every person in the Village is entitled to have something scheduled on the calendar before the application is complete.

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

Resolution # BOT 2017-10

The Board of Trustees of the Village of New Hempstead tentatively schedules a public hearing for proposal of Local Law amending the zoning law to have special permit use for interim/temporary uses with modular or pre-fabricated structures, to be discontinued upon erection of permanent school building, upon the petition that is anticipated to be submitted by February 2nd of Ateres Bais Yaakov

Academy of Rockland, who is proposing such a Special Permit Use at 200 Summit Park Road. The public hearing is tentatively scheduled for March 14th. The Board of Trustees is also issuing its intention to declare itself Lead Agency pursuant to Part 617 of the implementation regulations pertaining to Article 8 (State Environmental Quality Review Act) SEQRA of the New York State Environmental Conservation Law. The Board of Trustees also hereby refers the proposed Local Law to the Planning Board for their recommendation. Mayor Brinn called for a vote and the vote was 3 ayes, 1 nay. Deputy Mayor Minsky was not in favor of the resolution. The resolution was adopted. This resolution is tentative on the petition being received by this Thursday, February 2nd.

Resolution approving minutes of Dec. 29, 2016 and January 17, 2017

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

Resolution # BOT 2017-11

Resolved, that the minutes of the Special meeting of January 17, 2017 are hereby approved and the reading of said minutes be waived. Mayor Brinn called for a vote and the vote was 3-0. Trustee Sicker was absent at that meeting. The resolution was adopted.

Mayor Brinn left the meeting at 8:30 p.m. Deputy Mayor Minsky took charge of the remainder of the Meeting.

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

Resolution # BOT 2017-12

Resolved, that the minutes of the meeting of December 29, 2016 are hereby approved and the reading of said minutes be waived. Deputy Mayor Minsky called for a vote and the vote was 3-0. Trustee Reich was not present at that meeting. The resolution was adopted.

Approval of Abstract of Audited Vouchers

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

Resolution # BOT 2017-13

Resolved, that the Abstract of Audited claim numbers 17327 through 17362 in the amount of \$43,005.21 are hereby approved. Deputy Mayor Minsky called for a vote and the vote was 3-0. The resolution was adopted.

No Deputy Mayor's Report

No Trustees' Report

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

Resolution # BOT 2017-14

Resolved, that the Board of Trustees of the Village of New Hempstead hereby sets a Special Meeting for March 14, 2017. Deputy Mayor Minsky called for a vote and the vote was 3-0. The resolution was adopted.

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

Resolution # BOT 2017-15

Resolved, that the meeting held by the Board of Trustees of the Village of New Hempstead on January 30, 2017 is hereby adjourned. Deputy Mayor Minsky called for a vote and the vote was 3-0. The resolution was adopted.

Respectfully submitted,

Carole Vazquez, Village Clerk-Treasurer

LPM