

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

BOARD OF TRUSTEES

REGULAR MEETING
Tuesday, February 25, 2020
7:30 P.M. – VILLAGE HALL

PRESENT

SHALOM MINTZ, DEPUTY MAYOR
MOSHE SCHULGASSER, TRUSTEE
ADAM REICH, TRUSTEE
JEN EISENSTEIN, TRUSTEE

ABSENT

ABE SICKER, MAYOR

ALSO PRESENT

CAROLE VAZQUEZ, VILLAGE CLERK- TREASURER
ALLISON WEINRAUB, DEPUTY VILLAGE CLERK-TREASURER
MIKE MANDIKAS, BUILDING INSPECTOR

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN FLOOR – PUBLIC PARTICIPATION

No one from the public wished to speak.

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS 2020-2

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

Resolution # BOT 2020-12

Resolved, that abstract of Audited Vouchers 2020-2, #18903-18947 in the amount of \$108927.05 is hereby approved. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

APPROVAL OF MINUTES: 1/27/2020

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

Resolution # BOT 2020-13

Resolved, that the minutes of the meeting of 1/27/2020 are hereby approved and the reading of said minutes is waived. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

PUBLIC HEARING FOR A LOCAL LAW SEEKING TO REDUCE THE COST OF NATURAL GAS

Mrs. Weinraub stated in ran in the journal news February 7, 2020 affidavit of notice was timely.

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

Resolution # BOT 2020-14

Resolved, that the Public hearing for a Local Law to seek to reduce the cost of natural gas is hereby open. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

Correspondence Read into the Record:

Rockland County Department of Planning letter dated 1/16/2020

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

Resolution # BOT 2020-15

Resolved, that the Public hearing for a Local Law to seek to reduce the cost of natural gas is hereby closed. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

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

Resolution # BOT 2020-16

VILLAGE OF NEW HEMPSTEAD RESOLUTION CONCERNING A PROPOSED ACTION
TO SELECT GOOD ENERGY, L.P. TO ACT AS COMMUNITY CHOICE AGGREGATION
PROGRAM ADMINISTRATOR

WHEREAS, the VILLAGE OF NEW HEMPSTEAD desires to find ways to reduce electricity and/or natural gas costs for residential and commercial customers throughout the [VILLAGE OF NEW HEMPSTEAD];

WHEREAS, the VILLAGE OF NEW HEMPSTEAD **desires to adopt** and approve through local law a Community Choice Aggregation Program;

WHEREAS, the VILLAGE OF NEW HEMPSTEAD has been approached by Good Energy, L.P. regarding the possibility of Good Energy, L.P. acting as Administrator of the VILLAGE OF NEW HEMPSTEAD'S Community Choice Aggregation Program;

WHEREAS, the BOARD OF TRUSTEES of VILLAGE OF NEW HEMPSTEAD has determined that Good Energy, L.P. is qualified to act as Administrator of the VILLAGE OF NEW HEMPSTEAD's Community Choice Aggregation Program;

WHEREAS, the VILLAGE OF NEW HEMPSTEAD desires to work with Good Energy, L.P. to take any and all steps necessary and required by the New York State Law and policies, programs and orders of State administrative agencies to evaluate, negotiate and contract for the implementation of the Community Choice Aggregation Program if the VILLAGE OF NEW HEMPSTEAD determines the same to be in the best interests of the [MUNICIPALITY].

NOW, THEREFORE, BE IT RESOLVED, that the VILLAGE OF NEW HEMPSTEAD resolves as follows:

1. The BOARD OF TRUSTEES finds that the exploration of the potential use of Community Choice Aggregation in the VILLAGE OF NEW HEMPSTEAD is in the best interest of residential and commercial electricity and natural gas customers within the VILLAGE OF NEW HEMPSTEAD.
2. The BOARD OF TRUSTEES hereby approves Good Energy, L.P. to act as Community Choice Aggregation Program Administrator and authorizes the necessary [MUNICIPAL ENTITY] officials to work with Good Energy, L.P. to conduct preliminary analyses, design programs, and procure electricity and natural gas service from an energy service company, as well as to take any and all steps necessary and required by the New York State Law and policies, programs and orders of State administrative agencies, including but not limited to conducting an RFP to select an energy provider, and to negotiate and enter into any such agreements including power purchase agreements to facilitate the implementation of the VILLAGE OF NEW HEMPSTEAD'S Community Choice Aggregation Program if the VILLAGE OF NEW HEMPSTEAD determines the same to be in the best interests of the VILLAGE OF NEW HEMPSTEAD electric and natural gas customers.
3. The DEPUTY MAYOR, and/or members of the BOARD OF TRUSTEES, as appropriate or as otherwise required by law, are hereby authorized, empowered and directed to execute and deliver such documents and take all such action on behalf of the VILLAGE OF NEW HEMPSTEAD as may be deemed necessary, appropriate or advisable to carry out the intent or purposes of the foregoing resolutions.
4. The execution, delivery and performance by the DEPUTY MAYOR, and/or the member of the BOARD OF TRUSTEES, as appropriate or as otherwise required by law, for and on behalf of the VILLAGE OF NEW HEMPSTEAD, of all such further instruments and documents required in connection with the implementation of a Community Choice Aggregation Program, each in form and substance approved by the DEPUTY MAYOR,

and/or the members of the BOARD OF TRUSTEES, as appropriate or as otherwise required by law, his or her signature thereon being conclusive evidence of such approval, are hereby in all respects approved, adopted and authorized by and on behalf of the VILLAGE OF NEW HEMPSTEAD.

5. The foregoing resolutions shall remain in full force and effect until a copy of a subsequent resolution revoking or amending them, duly certified by the proper officers of the Board, shall be made by the Board.
6. This resolution shall be effective immediately.

Moved by: _Trustee Eisenstein

Seconded by: _Trustee Reich

Aye: 4

Nay: 0

Absent: 1

Dated: February 25, 2020
_New Hempstead, New York

RESOLUTION AUTHORIZING THE DEPUTY CLERK TREASURER TO ATTEND BASIC ACCOUNTING WITH NYS COMPTROLLER'S OFFICE APRIL 21-23

Trustee Schulgasser offered the following motion, which was seconded by trustee Eisenstein;

Resolution # BOT 2020-17

Resolved, that the Village Board of the Village of New Hempstead hereby authorizes the Deputy Clerk treasurer to attend Basic Accounting with NYS Comptroller's Office April 21-23 with the cost not to exceed \$500. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted

RESOLUTION AUTHORIZING THE CLERK – TREASURER AND DEPUTY CLERK TREASURER TO ATTEND THE ROCKLAND COUNTY PLANNING FEDERATION DINNER MARCH 31, 2020

Trustee Reich offered the following motion, which was seconded by trustee Eisenstein;

Resolution # BOT 2020-18

Resolved, that the Village Board of the Village of New Hempstead hereby authorizes the Village Clerk treasurer and the Village Deputy Clerk Treasurer to attend the Rockland County Planning Federation Dinner March 31, 2020 with the cost not to exceed \$55.00 per person. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

RESOLUTION AUTHORIZING THE ADDITION OF DENTAL AND VISION TO THE VILLAGE PERSONNEL POLICY

Deputy Mayor Mintz explained this has been in the works for a while. We have gone through different plans and opted for the MetLife PPO \$1500 Annual Combined Maximum per Person- Gold Dental Plan and MetLife High M150A-0/0 Vision Plan.

Attorney Minsky explained we will be separating this into three categories; Category 1 was something passed about 20 years ago and was in discussions for the last 5 years, only to be implemented now.

Category 1: Full Time employees + Mayor = 100% employer cost, up to a Family plan; if Village Clerk Treasurer retires from position coverage continues

Category 2: Board of Trustees= Individual coverage covered by employer with the option to upgrade to Family or Premium plan at the cost to the member.

Category 3: all other employees= 100% Voluntary Cost to the member

All Pending Broker Approval.

Trustee Reich offered the following motion, which was seconded by trustee Eisenstein;

Resolution # BOT 2020-19

**RESOLUTION NO.: BOT 2020-19
VILLAGE OF NEW HEMPSTEAD**

**TITLE: A RESOLUTION AUTHORIZING ENROLLMENT IN DENTAL AND VISION
PLANS TO BENEFIT VILLAGE EMPLOYEES**

WHEREAS, by prior Resolution, the Village Board previously authorized certain benefits for Village Officials and employees that qualified for health benefits; and

WHEREAS, the prior Resolution did not address certain issues regarding benefits for Village employees needing vision and dental insurance; and

WHEREAS, the Village Board recognizes that in order to keep and maintain employees that deliver high levels of services to the residents of the Village of New Hempstead, the Village must reward its employees by providing competitive benefits; and

WHEREAS, the Village received several different plans that would provide vision and dental insurance to Village employees; and

WHEREAS, the Village Board reviewed and compared the various plans and costs and determined that the plan submitted by MetLife's Preferred Provider Organization ("PPO") is the most cost effective and beneficial to address the needs of providing vision and dental coverage to Village employees;

NOW THEREFORE, it is hereby

RESOLVED, that the Village Board of the Village of New Hempstead hereby approves and authorizes the Village to enroll in the MetLife PPO Gold Dental Plan and the MetLife High M150A-0/0 Vision Plan, and it is further

RESOLVED, that enrollment in the aforementioned vision and dental plans is available to all current and future employees of the Village with the following the following categories to determine the amount and type of benefit provided by the Village of New Hempstead:

Category #1: All full-time employees and the Mayor the Village of New Hempstead shall pay 100% costs up to a Family vision and dental Plan coverage under the aforementioned plans.

Category #2: All members of the Village Board of Trustees - the Village shall pay to the respective providers a monthly premium for individual coverage for each Trustee. Each Trustee may have the option of upgrading to a family or premium plan at his/her own additional expense.

Category #3: All other employees of the Village may enroll in either or both plans with a 100% voluntary cost to such employees. The Village shall not make any contribution for premiums under this category; and it is further

RESOLVED, that the instant Resolution shall be applicable to current and future employees and Officials of the Village with no benefit conferred on past employees; and it is further

RESOLVED, that in the event any participant covered under this Resolution chooses not to enroll, participate or otherwise use the benefits bestowed hereunder, then the Village shall not make any monetary payments in lieu of premiums to said employee or Official; and it is further

RESOLVED, that if/when the Village Clerk Treasurer retires from the position coverage continues; and it is further

RESOLVED, that Mayor Sicker is hereby authorized to execute any and all documents in the name of the Village of New Hempstead to effectuate the terms of this Resolution. All pending Broker Approval

Deputy Mayor Mintz as Presiding Officer called for a vote. Trustees Schulgasser, Reich, Eisenstein and Deputy Mayor Mintz all voted in favor of the Resolution with a final vote of 4-0. The Resolution carried unanimously. Deputy Mayor Mintz declared the Resolution carried and directed the Village Clerk to file the same.

Dated: February 25, 2020
Village of New Hempstead

Mayor Abe Sicker

After the meeting Ms. Weinraub confirmed with the Insurance Broker that category one and two can be setup through one account but for Category three they will have to self-enroll at the same rate the Village is receiving. The broker will email a brochure with steps for Option Three members to enroll.

RESOLUTION REQUESTING AMENDMENTS TO New York STATE'S CRIMINAL JUSTICE REFORMS

Trustee Reich offered the following motion, which was seconded by trustee Eisenstein;

Resolution # BOT 2020-20
RESOLUTION OF THE VILLAGE OF NEW HEMPSTEAD
REQUESTING AMENDMENTS TO New York STATE'S CRIMINAL JUSTICE REFORMS

WHEREAS while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

NOW THEREFORE BE IT RESOLVED THAT the **VILLAGE OF NEW HEMPSTEAD** supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;

- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the **VILLAGE OF NEW HEMPSTEAD** be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator **CARLUCCI** and Assembly Member **ZEBROWSKI**, the New York State Conference of Mayors, and local media outlets.

Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

RESOLUTION AMENDING THE VILLAGE FEE SCHEDULE TO ELIMINATE THE FEES FOR SPECIAL USE PERMIT FOR SECOND KITCHEN AND INCLUDE ALL OTHERS IN THE SPECIAL USE PERMIT SECTION OF THE FEE SCHEDULE IN THE AMOUNT OF \$500.00+ PROFESSIONAL FEES

Ms. Vazquez explained we no longer need to charge for special permit for Passover kitchen but we are running into scenarios where we need to charge for Special Use Permit All Others.

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

Resolution # BOT 2020-21

Resolved, that the village Board of the Village of New Hempstead hereby eliminate the fee for the Special Use Permit for Second Kitchen. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

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

Resolution # BOT 2020-22

Resolved, that the village Board of the Village of New Hempstead hereby authorizes \$500 + Professional fees incurred for Special Use Permit for All Other to the village of new Hempstead fee schedule. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

RESOLUTION IN LOVING MEMORY OF SANDRA WILSON

The Board would like to extend their condolences to Sandra Wilsons Family. The Security Guard who was murdered at the Public Library where many Village residence go. They would like to send a Certificate of Condolences to her Family.

Trustee Reich offered the following motion, which was seconded by trustee Eisenstein;

Resolution # BOT 2020-23

Resolved, that the Village Board of the Village of New Hempstead hereby send their deepest condolences and Certificate in Memory of Sandra Wilson for her dedication and service to our community. Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

RESOLUTION AMENDING RESOLUTION 2019-184- REPLACE NO PARKING WITH NO STOPPING OR STANDING ON UNION RD AROUND THE BEND BETWEEN MICHAEL ST AND BROCKTON RD.

Mrs. Weinraub explained that when they replaced the No parking signs on Union the busses are still idling on the side.

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

Resolution # BOT 2020-24

Resolved, that the village Board of the Village of New Hempstead hereby authorizes the Highway Department to replace the No parking signs on Union around the bend between Michael St. and Brockton Rd. With "No parking No Stopping No standing" Deputy Mayor Mintz called for a vote. The vote was 4-0 the resolution was adopted.

ADJOURN TO March 24, 2020 CONTINUATION PUBLIC HEARING FOR BAIS MALKA- THE APPLICANTS ARE SEEKING Special Permit APPROVAL TO PERMIT THE CONSTRUCTION, MAINTENANCE AND USE OF A PERMANENT CLASSROOM BUILDING. THE SUBJECT PROPERTY IS LOCATED AT 46-48 GRANDVIEW AVE ON THE WEST SIDE OF GRANDVIEW AVE 900 FEET WEST OF PLEASANT RIDGE RD. DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.20 BLOCK 2 LOT 41 IN A 1R-25 ZONING DISTRICT

The Applicant has requested to adjourn until the March 24, 2020

DEPUTY MAYORS REPORT - None

TRUSTEES REPORT-None

MOTION TO ADJOURN

Trustee Schulgasser offered the following motion, which was seconded by Eisenstein:

Resolution # BOT 2020-

Resolved, that the meeting on February 25, 2020 of the Board of Trustees is hereby adjourned. Deputy Mayor Mintz called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,
Allison Weinraub, Deputy Village Clerk-Treasurer