

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

BOARD OF TRUSTEES

REGULAR MEETING
Tuesday, August 25, 2020
7:30 P.M. – ZOOM

PRESENT

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

ABSENT

ALSO PRESENT

ALLISON WEINRAUB, VILLAGE CLERK-TREASURER
BRUCE MINSKY, VILLAGE ATTORNEY
GLENN MCCREEDY, VILLAGE ENGINEER
JOHN LANGE, VILLAGE PLANNER (ZOOM)
MIKE MANDIKAS, BUILDING INSPECTOR
EILEEN SAMMARONE, DEPUTY VILLAGE CLERK-TREASURER

ROLL CALL

OPEN FLOOR – PUBLIC PARTICIPATION

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS 2020-7

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

Resolution # BOT 2020-61

Resolved, that abstract of Audited Vouchers 2020-7, #19125-19175 in the amount of \$78,336.94 is hereby approved. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Since Deputy Mayor Mintz is on Zoom there will only be three signatures on the Vouchers but all board members approved.

APPROVAL OF MINUTES: 7/28/2020, 7/31/2020

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

Resolution # BOT 2020-62

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Resolved, that the minutes of the meeting of 7/28/2020 are hereby approved and the reading of said minutes is waived. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

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

Resolution # BOT 2020-63

Resolved, that the minutes of the meeting of 7/31/2020 are hereby approved and the reading of said minutes is waived. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Resolution Accepting the 2019-2020 Justice Court Audit

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

Resolution # BOT 2020-64

Resolved, that the Village Board of the Village of New Hempstead hereby accept the 2019- 2020 Justice Court Audit from the Village Justice Court provided by Berard and Associates. Mayor Sicker Called for a vote. The vote was 4-0. The resolution was adopted.

Resolution Amending the Village of New Hempstead Fee Schedule to Eliminate the Fee for a Burn

Mayor Sicker explained if someone wants to pull a permit for safety reasons to have a fire in their backyard with their family they shouldn't have to pay a fee.

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

Resolution # BOT 2020-65

Resolved, that the Village Board of the Village of New Hempstead hereby Eliminates the Fee for a Burn Permit Application from the Village of New Hempstead Fee Schedule. Mayor Sicker called for a vote. The vote was 4-0. The Resolution was adopted.

Permit and Institute a Fee for Recurring Applicants That Request an Adjournment

The Mayor explained this will be for all applications going forward. If an applicant requests an adjournment there should be a fee charged for each recurring adjournment because of all the work that goes into adjourning it.

The board agreed to allow the applicant one adjournment before instituting a fee.

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

Resolution # BOT 2020-66

Resolved, that the Village Board of the Village of New Hempstead hereby enacts a fee to the Village of New Hempstead Fee Schedule in the amount of \$250.00 to any applicant requesting recurring adjournments to any board only after one initial adjournment at no cost to the applicant and only when

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the village is not the cause of the adjournment. Mayor Sicker called for a vote. The vote was 4-0. The Resolution was adopted.

Discussion: Purchase or Lease of Kenwood Rockland County Fire Inspector Radio

Mayor Sicker explained this would be for the inspector to perform his duties more accurately. It is the same lease that the Village of Wesley Hills has for their inspector. The fee for the Lease is \$ 70.00 a month.

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

Resolution # BOT 2020-67

Resolved, that the Village Board hereby approves the Lease of the Goosetown Kenwood Rockland County Fire Inspector Radio in the amount of \$70.00 a month. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Discussion- Pennington Way Petition

The speed humps will be placed after the micro paving has been complete.

Public Hearing- 589 New Hempstead Rd- Special Use Permit- The Applicants Are Seeking Special Permit Approval Per The Requirements Of Section 290-57.2 Local Law 3 Of 2017 To Permit The Construction, Maintenance, And Use Of A Place Of Assembly. The Subject Property Is Located On The East Side Of New Hempstead Rd.0 Feet From The Intersection Of Westview Rd. The Property Is Designated On The Town Of Ramapo Tax Map As Section 42.14 Block 2 Lot 49 In A 1r-35 Zoning District.

At the request of the applicant this will be placed on next month's meeting. They would like time to respond to the professional's and comments that came in from the GML.

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

Resolution # BOT 2020-68

Resolved, that the Village Board hereby adjourns the Public Hearing for 589 New Hempstead Rd. to September 22, 2020. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Mr. Leo, 3 Sarah Drive

Would just like to know if they will be allowed to use the property without the permits and approvals?

Mayor Sicker responded he will need to discuss this with the Village attorney.

Authorizing The Village to Hire Berard and Associates CPA's P.C. For An Annual Audit.

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

Resolution # BOT 2020-69

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Resolved, that the Village Board hereby authorizes the Village clerk Treasurer to hire Berard and Associates CPS's P.C. for an annual audit of 2019 and 2020 in the amount of \$12,000 per year. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

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 is working with the Planning Board on finalizing their Site Plan. Once all issues have been resolved they will appear before the Board for Special Permit Approval.

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

Resolution # BOT 2020-70

Resolved, that the Village Board hereby adjourns the Public Hearing for Bais Malka 48 Grandview Ave. to September 22, 2020. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Continuation Public Hearing Village of New Hempstead Comprehensive Plan

Mayor Sicker explained this is a continuation of the Public Hearing from the last meeting. The Public Hearing is still open.

John Lange, Village Planner

Explained the Village only received the Rockland County Planning Departments letter 15 minutes before the meeting. Most of the comments were confused with the Laberge version of the plan. Where we were able to make changes we did. The County would like a more detailed environmental statement but I don't believe it is required because everything we are proposing will be addressed at the time of the application submission. Recommends overrides.

Mayor Sicker stated we did receive a response to an email from Laberge that a committee member sent out. This was the first response we received regarding the Comprehensive Plan in months. We will try to work with them, but cannot allow them to hold us up any longer.

Nancy Jacobs, 9 Dorothy Drive

Has questions about the special cluster and would like to know the village definition of Open Space.

The village planner explained we created what we call an optimize cluster. It gives a small development incentive to a property owner of 10 acres or more with substantial environmental constraints. The optimize cluster would enhance the standard cluster provisions. What the Optimize cluster says is show us where the constraints are, show us the amount of open space that you are going to dedicate and for the dedicated open space the village board has the opportunity to give you 1.5 to 2 times the number of units in response for the open space.

Mr. Leo, 3 Sarah Drive

Can the board require a covid plan submitted for all place of assembly applicants, also can the board require all taxes be paid to date- village school and town, and if an applicant has been operating without a permit can an application be denied and a waiting period be imposed before they can resubmit only if no violations have been submitted, and lastly who is responsible for issuing Violations?

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The Building inspector responded he is the person who issues violations.

Aaron Saperstein, 4 Pennington Way

The Cluster Designation- if an applicant be is able to still maintain what the village currently allows, would this be like downzoning properties 10 acres or more if they agree to provide open space?

Mayor Sicker explained it is not downzoning. It is more of an incentive for developers to come in and build single family houses. This would make fiscal sense for them to do this as opposed to another 55 and older or a school because that's the only other thing that can be done.

Trustee Schulgasser would like a stipulation included that it has to be at the front of the property.

Glenn McCreedy, Village Engineer

Does not think that is something that would work because each property is laid out differently. Believes the purpose of this was to make properties economically viable to be developed, maintain the single family home environment we have, but still gain the environmental benefits at the back end of it.

Mr. Geis, 7 Kingston Dr.

Was happy to hear back from Laberge Group. Seems now we have the possibility to get the editorials and other improvements from Laberge if they can do it in a sufficient time frame. Would like to hear John Lange's response to the County.

Justin Schwartz, Representing the Hillcrest Fire Department

Compliments the plan but has issues with some items. (Comments have been annexed to the minutes)

Mayor Sicker responded to Mr. Schwartz's comments regarding the sidewalks, the Village did receive a matching grant for about \$200,000 for a sidewalk installation on New Hempstead Rd from Ellington Way to before Viola, but funding has been paused because of current situations. We do want to get to other areas done too but we do have to be fiscally responsible.

Regarding the zone change-this is being changed so that lots can conform. The issue is right now when they did average density in the 1970's there were a lot of lots that are designated as R-50 but the lot sizes are actually really r-25, r-30 or r-40's.

Mr. McCreedy explained it is even worse than that. When the Cluster development was done there was a lot of neighborhoods in the village that there wasn't even sufficient zoning put on there to create the actual cluster lots. So property's that are required to have side setbacks or rear setbacks requirements don't exist as a compliance mechanism. The closest zone that currently exists within the village we are putting in [lace for those properties for those residents that want to put a small addition on there is some bulk standard that's been instituted for the property. It is really a corrective measure.

Nancy Jacobs, 9 Dorothy

Would like a copy of the Plan but the one sent won't download her Computer. She would like to come to Village Hall to upload directly from the file?

The board and office staff agreed to that as long as Mrs. Jacobs brings a flash drive because they do not have those in stock.

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The Board decided to hold the Public Hearing over one month until all comments can be addressed and all final comments can be submitted from the residents.

As long as the Plan gets posted in a timely manner the Board agreed to allow public comments up until September 8, 2020.

The Mayor does not want this the same night as the Regular BOT because he does not want to waste any applicant's time. The Board would like to schedule a special meeting September 21, 2020 at 7:30pm for this discussion

Mr. Geis would like to know the deadline for the Village to have it posted that the Public would have to comment on September 8.

Mayor Sicker gave until Tuesday September 1, 2020. Comments should be emailed to strategicplan@newhempstead.org

Comments read into the Record:

Village Building Inspector Response to comments

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

Resolution # BOT 2020-71

Resolved, that the Village Board of the Village of New Hempstead hereby adjourns the Public Hearing for the Village of New Hempstead Comprehensive Plan to Tuesday September 22, 2020 at 7:30pm.. Mayor Sicker called for a vote. The vote was 4-0 the resolution was adopted.

Resolution Authorizing the Village Clerk Treasurer to Attend the NYCOM Fall Training Session September 22- 24

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

Resolution # BOT 2020-72

Resolved, that the Village Board for the Village for New Hempstead hereby authorize the Village Clerk Treasurer to attend the NYCOM Fall Training Session, September 22-24. Mayor Sicker Called for a vote. The vote was 4-0. The resolution was adopted

Resolution appointing Mendy Sabo as additional Court Officer for the Village of New Hempstead

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

Resolution # BOT 2020-73

Resolved, that Mendy Sabo has been appointed as additional Court Officer for the Village of New Hempstead. Mayor Sicker called for a vote. The vote was 4-0 the resolution was adopted.

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MAYORS REPORT - currently we use the Town of Ramapo for Highway services. The fees went up last year \$324,000.00 for us and other villages as well. I am told we should expect another jump this coming year. I've been doing a lot of research to see what our options are. The Village of Airmont actually went out to Bid and is very happy with the services they are provided with. I did meet with the Deputy Attorney Amy Mele to discuss possibly sending out the bid but told her we have to discuss with the board first. Airmont is paying a great deal less then we currently are. I would like the board to authorize a fee not to exceed \$8000 for her services to work on the bid.

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

Resolution # BOT 2020-74

Resolved, that the Village Board authorizes the Services of Amy Mele, as a Consultant to the Village of New Hempstead with the cost not to exceed \$8,000. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Mr. Geis noted snow removal is going to be a critical service. The call for bid should have stringent performance requirements for penalties.

DEPUTY MAYORS REPORT

TRUSTEES REPORT- Appreciates the timely fashion on the Road Paving

MOTION TO ADJOURN

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

Resolution # BOT 2020-75

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

Respectfully submitted,

Allison Weinraub,
Village Clerk-Treasurer