

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

BOARD OF TRUSTEES

REGULAR MEETING
TUESDAY, FEBRUARY 26, 2019
7:30 P.M. – VILLAGE HALL

PRESENT

Abe Sicker, Mayor
Moshe Schulgasser, Trustee
Jennifer Eisenstein, Trustee
Adam Reich, Trustee
Shalom Mintz, Deputy Mayor

ALSO PRESENT

Glenn McCreedy, Village Engineer
John Lange, Village Planner
Bruce Minsky, Village Attorney
Carole Vazquez, Village Clerk Treasurer
Allison Weinraub, Deputy Village Clerk-Treas.

Pledge of Allegiance

Roll Call

Open Floor – public participation

James Stueck, 10 David Drive
Has concerns about safety and road work on Summit Pk Rd.

Mayor Sicker
We will look into this once we receive the report of roads that need repairing.

PUBLIC HEARING FOR ATERES BAIS YAAKOV OF ROCKLAND FOR THE SPECIAL PERMIT EXTENSION

Appeared in the Journal News February 4, 2019. Affidavits of Notice and Postings were timely.

Trustee Eisenstein recuses herself.

Correspondence Read into the Record
Town of Ramapo, 1.8.2019
RC Sewer District, 1.15.2019
RC Department of Planning, 2.25.2019

Ira Emanuel, Attorney representing the applicant.
Ateres was originally granted 2 special permits. One for the construction and use of a permanent school building, and the other was for the interim school use. There are expiration dates that go with those special permits. The board granted an extension for the interim school until May 22, 2019 and now the applicant is requesting an extension on the permanent building until the end of August. We are also requesting that you override the county comments again because this is just an extension. There have been no changes that were made to these plans, and I have been in contact with them informing them of that. This is a complete overreach.

Comments to override from RC Planning will be worked out with the Village attorney and Mr. Emanuel.
1, 2, 3, 5, 7, 9, 10

Deputy Mayor Mintz offered the following Motion seconded by Trustee Schulgasser:

Resolution 2019-19

Resolved, that the Public Hearing on Ateres Bais Yaakov, 200 Summit Pk Rd is hereby opened. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Mordy Steinfeld, 168 Summit Park Rd.

At prior meetings it was decided that outside events and prayers services etc. will not be allowed. I'm concerned with that not being in the law and how it can be enforced when future buyers come in.
Also, parking concerns- The need for parking is less than what the law requires because the students wouldn't be driving to school, but they are driving to school and parking along the street.

Ira Emanuel,
With respect to the outside events, that's part of the site plan approval and special permit approval. If a new owner takes over the site plan it will carryover.

With respect to parking, students are not permitted to drive to school, since this is a private school the school can and will take disciplinary actions if a student is found to violate the rule.

Mayor Sicker,

The only thing I would add is based on our zoning if there is an ownership change there is a requirement to refile. Any permits or site plans that were issued will most probably be null and void.

Attorney Minsky confirms.

Ira Emanuel stated the mayor is correct as per the Village Zoning code.

Trustee Reich offered the following Motion seconded by Deputy Mayor Mintz:

Resolution 2019-20

Resolved, that the Public Hearing on Ateres Bais Yaakov is hereby closed. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Deputy Mayor Mintz offered the following Motion seconded by Trustee Reich:

Resolution # BOT 2019-21

Resolved, that the Village Board of Trustees of the Village of New Hempstead hereby overrides the Rockland County Department of Planning Comments # 1, 2, 3, 5, 7, 9, 10. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Trustee Reich offered the following Motion seconded by Trustee Schulgasser:

Resolution # BOT 2019-22

Resolved, that the Village Board of Trustees of the Village of New Hempstead hereby renews the Special Permit for Ateres Bais Yaakov of Rockland for the Permanent School Use to expire May 22, 2019 in conjunction with the Special Permit for the interim School Use subject to the recommendation #4, 6, 8, 11, & 12 from the County of Rockland Planning Departments and the conditions from the sewer department. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Trustee Eisenstein returns.

SCHEDULING BOARD OF TRUSTEES MEETING DATES FOR MARCH AND APRIL.

Trustee Eisenstein offered the following Motion seconded by Trustee Schulgasser:

Resolution # BOT 2019-23

Resolved, that the Village Board of Trustees hereby schedules the March and April Board of Trustees Meeting for March 27, 2019 and April 30, 2019 7:30PM. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

The Board of Trustees of the Village of New Hempstead will be holding a workshop March 12, 2019 at 7:30PM.

CONTINUATION PUBLIC HEARING: AMENDING LOCAL LAW 22 OF 1984 PROHIBITING UNREASONABLE NOISE

Mayor Sicker stated the timings we originally had were set from 7:30am-9:00pm change to any weekday hours would be 7:00am-7:00pm. Weekends 9:00am-5:00pm.

Mr. Geis, 7 Kingston Dr.

Has concerns regarding Landscaping equipment. He also noted that the original LL had sound levels.

The board and professionals informed him that the levels can't be enforced without the police department having the equipment needed. Regarding Landscaping equipment, Weekday Hours won't start until 8:30am.

Hours

Construction

Weekday: 7:00-7:00

Weekends and Holidays: 9:00am-5:00pm

Landscaping

Weekdays: 7:00-7:00

Weekend and Holidays: 9:00am-6:00pm

Resolution 2019-24

Resolved, that the Public Hearing on Local Law 2 Of 2019 Amending Local Law 22 Of 1984 Prohibiting Unreasonable Noise is hereby closed. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Trustee Eisenstein offered the following Motion seconded by Deputy Mayor Mintz:

Resolution # BOT 2019-25

Resolved, that the Village Board of Trustees of the Village of New Hempstead hereby overrides the Rockland County Department of Planning Comments # 1 dated November 27, 2018 regarding the amendments to Local Law 22 Of 1984 concerning decibels because the village cannot enforce without the necessary equipment. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Resolution # BOT 2019-26

Resolved, that the Village Board of Trustees of the Village of New Hempstead hereby adopts the amendments to Local Law 22 Of 1984 Prohibiting Unreasonable Noise as amended. Hours of operation being for construction: Weekday: 7:00-7:00 Weekends and Holidays: 9:00am-5:00pm. For Landscaping: Weekdays: 7:00-7:00 Weekend and Holidays: 9:00am-6:00pm and the sounds created by landscaping and or Lawn equipment Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Audited Vouchers

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

Resolution # BOT 2019-27

Resolved, that Audited Claim numbers 18377 through 18410 in the amount of \$50,420.60 Are hereby approved. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

APPROVAL OF MINUTES: December 7, 2018 & January 22, 2019

December 7, 2018

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

Resolution # BOT 2019-28

Resolved, that the minutes of the meeting of December 7, 2018 are hereby approved, and the reading of said minutes be waived. Mayor Sicker called for a vote. The vote was 3-0. Trustee Eisenstein did not vote. The resolution was adopted.

January 22, 2019

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

Resolution # BOT 2019-29

Resolved, that the minutes of the meeting of January 22, 2019 are hereby approved, and the reading of said minutes be waived. Mayor Sicker called for a vote. The vote was 3-0. Trustee Reich arrived after the vote. The resolution was adopted.

SCHEDULING A PUBLIC HEARING FOR 14 BARRIE DR. - MR. WEISS- REQUESTING A SPECIAL PERMIT FOR A PASSOVER KITCHEN

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

Resolution # BOT 2019-30

Resolved, that the Board of Trustees of the Village of New Hempstead hereby, schedules a Public Hearing for David Weiss 14 Barrie Drive for the special permit for a Passover Kitchen for Wednesday March 27, 2019. Mayor Sicker called for a vote. The vote was 5-0. The resolution was adopted.

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

Resolution # BOT 2019-31

Resolved, that the meeting of the Board of Trustees held on February 26, 2019 is hereby Adjourned. Mayor Sicker called for a vote. The vote was 4-0. The resolution was adopted.

Respectfully submitted,

Allison Weinraub, Deputy Village Clerk- Treasurer