

November 28, 2023

Page 1 of 5

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

**BOARD OF TRUSTEES**

REGULAR MEETING  
November 28, 2023  
7:30 P.M.

PRESENT

ABE SICKER, MAYOR  
MOSHE SCHULGASSER, TRUSTEE  
SHIMON LEVI, TRUSTEE

ABSENT

JEN EISENSTEIN, TRUSTEE  
SHALOM MINTZ, DEPUTY MAYOR

ALSO PRESENT

ALLISON WEINRAUB, VILLAGE CLERK TREASURER  
BRUCE MINSKY, VILLAGE ATTORNEY

---

**Pledge Allegiance**

Mayor Sicker accepts the resignation of Trustee Reich and Appoints Myron S. Levi as Trustee for the Village of New Hempstead. Mayor Sicker Thanks Trustee Reich for his service over the last 7 or 8 years.

**Roll Call**

**Open Floor**

Dennis Apifel, 17 Dorothy Dr.

Has issue with bus traffic speeding on Dorothy dr. between 15 and 17 Dorothy Dr. it's a 10 MPH curb that busses are speeding past. The sign that was there has been gone for a while. Another issue is all the cars parking in the yard in the area.

Mayor Sicker will have PD go out there and have highway check on the Sign. Recently the village has really been on top of violations if there is a problem property please send it to the village with any photos that can be taken.

Mrs. Jacobs, 9 Dorothy Dr.

Had similar concerns about parking and will do the same.

Moshe Farkus, 7 Wishers Ln

Would like to know where the village is up to with the sidewalk on New Hempstead Rd.

Mayor Sicker said they are still waiting for the signatures from the residents and has been working with the legislator on the County possible doing Sidewalks on their roads.

**APPROVAL OF AUDITED VOUCHERS 2023- 11**

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

**Resolution # BOT 2023-101**

Resolved, that abstract of Audited Vouchers 2023-11, #20909-20956 in the amount of

November 28, 2023

Page 2 of 5

\$ 98840.78 hereby approved. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

**PUBLIC HEARING- PICANTE STEAKHOUSE LLC, 370 RT. 306, NEW HEMPSTEAD NY.-THE APPLICANTS ARE REQUESTING A REVISED SPECIAL USE PERMIT TO REDUCE THE STORE COUNT FROM THREE TO TWO. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF GRANDVIEW AVE AND THE EAST OF RT. 306. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.15 BLOCK 4 LOT 1 & 2 IN A NC-D ZONE.**

Mrs. Weinraub stated in ran in the Rockland Journal News November 17, 2023 affidavit of Notice and Postings were timely.

Avi Raskin, Representing the applicant.

There's a requirement to come to the village Board of Trustees for any reduction Store account that's what we're here to do.

Mayor Sicker asked what the hours of operations are and asked if the applicant has a copy of the code with the restrictions. This will be a condition for the Special Use Permit.

The board had questions about seating.

The applicant expects 160 occupancy.

The board went over the hours of operation

GML Comments referenced into the Record:

*Applicants Response*

*RC Drainage Agency 10/27/2023*

*RC Sewer District 11/17/2023*

*NYS DOT 10/2/2023*

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

**Resolution # BOT 2023-102**

Resolved, that the village Board of the village of New Hempstead hereby open the Public Hearing for Picante Steakhouse LLC, 370 RT- 306, New Hempstead, NY. For a revised Special Use Permit to reduce the store count from 3 stores to 2 stores. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Rachel Leiser, 25 S Gate Dr.

How many parking spaces are going to be needed for a 160 occupancy?

The applicant responded it will not be changing from what is currently there combined with the parking lot for CVS. The spaces that are there now are based on a three store count and now there is only going to be two. The applicant exceeds the parking requirement.

The village attorney had questions about the basement weather its going to be shared amongst the tenants.

It will not be a shared space. Each tenant will have its own space in the basement.

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

**Resolution # BOT 2023-103**

Resolved, that the village Board of the village of New Hempstead hereby close the Public Hearing for Picante Steakhouse LLC, 370 RT- 306, New Hempstead, NY. For a revised Special Use Permit to reduce the store count from 3 stores to 2 stores. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

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

**Resolution # BOT 2023-104**

**VILLAGE OF NEW HEMPSTEAD BOARD OF TRUSTEES  
RESOLUTION 2023-104**

WHEREAS, Picante Steakhouse, LLC, (hereinafter referred to as “Petitioner”), had previously petitioned the Village of New Hempstead Board of Trustees for a special permit pursuant to the requirements of Section 290-41 of the Code of the Village of New Hempstead for a special permit to allow for the construction, maintenance, and use of three commercial stores located on Route 306 within the Village of New Hempstead; and

WHEREAS, pursuant to Resolution # 2023-104, the Village Board of Trustees approved the special permit use application submitted by Picante Steakhouse, LLC ; and

WHEREAS, Picante Steakhouse, LLC now wished to revise the previously issued Special Use Permit to reduce the number of store counts from three (3) to two (2) stores; and

WHEREAS, Picante Steakhouse, LLC has submitted the necessary documents and plans to request an amendment to the previously issued Special Use Permit pursuant to Village of New Hempstead Zoning Code Section 290-41; and

Village of New Hempstead Board of Trustees held a public hearing on November 28, 2023 where the Board received input from other involved agencies on the proposed amended petition, as well comments from neighbors and concerned citizens;

NOW, THERFORE, it is hereby

RESOLVED, that the Village of New Hempstead Board of Trustees hereby approves the Petition of Picante Steakhouse, LLC for an amended special permit pursuant to the requirements of Section 290-41(D)of the Code of the Village of New Hempstead to allow for the construction, maintenance, and use of two (2) commercial stores rather than the previously approved three (3) commercial entities; and it is further;

RESOLVED, that the Amended Special Permit shall be subject to the following conditions:

- (a) Approval by the Village Engineer;
- (b) Approval by the Village Building Inspector;
- (c) Compliance with the requirements contained in Rockland County Sewer District #1 GML letter dated November 17, 2023;
- (d) Compliance with the Rockland County Drainage Agency's GML Letter dated October 27, 2023;
- (e) Compliance with New York State Department of Transportation's GML Letter dated October 2, 2023;
- (f) As well as all other conditions placed upon the issuance of the original special use permit; and
- (g) Payment of any fees required by the Village of New Hempstead.

And it is further

RESOLVED, that all activity, commercial or otherwise, shall cease on Monday through Friday by 11:00 PM and Saturday and Sunday by 10:00 PM; and it is further

RESOLVED, that the aforementioned conditions shall be identified on the face of any such permit issued by the Village and shall remain in effect as long as the special permit is valid.

Mayor Sicker called for a vote on the Resolution which was as follows: Trustee Schulgasser, AYE, Trustee Levi, AYE and Mayor Sicker, AYE. The Resolution was adopted by a vote of 3-0.

### **RESOLUTION APPOINTING SHARON OSHEROVITZ AS REGISTRAR OF VITAL STATISTICS**

This resolution is passed each year for the town to handle all birth and death certificates within the village.

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

#### **Resolution # BOT 2023-105**

Resolved, that the village Board of the village of New Hempstead hereby Appoint Sharon Osherovitz as Registrar of Vital Statistics for a term of 1 year. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

### **RESOLUTIONS APPROVING THE CONTRACT FOR SECURITY GUARD SERVICES FOR THE JUSTICE COURT DAYS**

The board has decided to contract with a security guard company vs having a court officer on staff.

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

#### **Resolution # BOT 2023-106**

November 28, 2023

Page 5 of 5

Resolved, that the village Board of the village of New Hempstead hereby approve the contract with Blue Eagle Security Inc. for Security Guard services for court days for the cost of \$55.00 per hour for a 4 hour court day period. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

**ADJOURN TO DECEMBER 20, 2023- CONTINUATION OF THE PUBLIC HEARING FOR BAIS MALKA- BAIS MALKA HASC, LLC, 48 GRANDVIEW AVE, MONSEY NY 10952. THE APPLICANTS ARE SEEKING SPECIAL PERMIT APPROVAL PER THE REQUIREMENTS OF SECTION 6.9.4.1 LOCAL LAW 1 OF 2017 AMENDING LOCAL LAW NO. 11 OF 1984 TO PERMIT THE CONSTRUCTION, MAINTENANCE, AND USE OF A PERMANENT PREFABRICATED CLASSROOM BUILDING. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF GRANDVIEW AVE. 900 FEET FROM THE INTERSECTION OF PLEASANT RIDGE RD. THE PROPERTY IS DESIGNATED ON THE TOWN OF RAMAPO TAX MAP AS SECTION 41.20 BLOCK 2 LOT 41 IN A 1R-25 ZONING DISTRICT.**

Bais Malka is scheduled for Planning Board on December 6<sup>th</sup>. The applicant is hoping to be back in front of the BOT after that meeting.

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

**Resolution # BOT 2023-107**

Resolved, that the village Board of the village of New Hempstead hereby adjourn the Public Hearing for Bais Malka, 48 Grandview Ave for Special Use Permit to December 20, 2023. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

**MAYORS REPORT:**

**DEPUTY MAYORS REPORT:**

**TRUSTEES REPORT:**

**MOTION TO ADJOURN**

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

**Resolution # BOT 2023-108**

Resolved, that the meeting on November 28, 2023 of the Board of Trustees is hereby adjourned. Mayor Sicker called for a vote. The vote was 3-0. The resolution was adopted.

Respectfully submitted,  
Allison Weinraub,  
Village Clerk-Treasurer