

**Hempstead, New York**

**October 18, 2016**

**REGULAR MEETING**

A regular meeting of the Board of Trustees of the Incorporated Village of Hempstead was held at the Board Room, 99 Nichols Court, Hempstead, NY 11551 at 6:30 p.m.

**ROLL CALL**

Trustees Figueroa, Ryan, Hobbs  
ABSENT: Trustee Pettus  
Mayor Hall.

**Also Present**

Debra Urbano-Disalvo, Village Attorney  
Patricia Perez, Village Clerk

**SALUTE THE FLAG**

Deputy Mayor Figueroa called the meeting to order and asked all present to rise and join in a salute to the flag of the United States of America.

**PROCLAMATION**

**National Breast Cancer Awareness Month.**

Every year, too many Americans are touched by the pain and hardship caused by breast cancer -- a disease that, among women, is not only one of the most common cancers, but also one of the leading causes of cancer-related death. During National Breast Cancer Awareness Month, we honor all those who lost their lives to breast cancer, and we recognize the courageous survivors who are still fighting it. For these individuals, and for their loved ones who give their unwavering support during the most trying times, we recommit ourselves to the essential and necessary work of forging a future free from cancer in all its forms.

Hundreds of thousands of Americans will be diagnosed with breast cancer this year, and tens of thousands will lose their battle with this disease. Although both women and men can have breast cancer, women are at higher risk. Women with a family history of breast cancer, or those who are older or obese, are also more likely to be diagnosed with breast cancer. I encourage all women to find out if they are at increased risk and to learn more about recommended screenings by speaking with their health care providers and by visiting [www.Cancer.gov/Breast](http://www.Cancer.gov/Breast).

Early detection and treatment can save lives. Since I took office, I have worked to make quality, affordable health care a reality for more Americans. The Affordable Care Act has given millions of women expanded access to preventive services, including screening tests such as mammograms, with no out-of-pocket costs. Women can no longer be denied coverage because of a pre-existing condition, including a family history of breast cancer, and lifetime and annual limits on essential health benefits have been eliminated.

Critical research efforts over time have yielded great progress in how we diagnose and treat breast cancer, which has produced a steady increase in survival rates for those suffering from this disease -- and it is crucial that we keep building on these successes. This year, the National Cancer Institute launched the largest study of its kind to investigate the role of genetic and biological factors in breast cancer risk among African American women, who have a higher risk of dying from breast cancer.

The White House Cancer Moonshot Task Force, also launched this year, is a new national effort striving to make a decade's worth of progress in preventing, diagnosing, and treating cancer in just 5 years. And through the Precision Medicine Initiative -- a bold research effort aimed at delivering disease prevention and treatment based on an individual's unique traits and genetic information -- we are pursuing new oncology-focused efforts to advance personalized care through targeted cancer therapies.

This month, with bold pink ribbons displayed proudly across America, we stand in solidarity with breast cancer survivors and reaffirm our commitment to raising awareness of this disease and to advancing research efforts. Let us thank the countless advocates, medical professionals, researchers, and caregivers who dedicate their lives to fighting for a world without breast cancer, and together, let us carry out our mission to cure cancer once and for all.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim October 2016 as National Breast Cancer Awareness Month. I encourage citizens, government agencies, private businesses, nonprofit organizations, and all other interested groups to join in activities that will increase awareness of what Americans can do to prevent breast cancer.

**ACCEPTANCE OF MINUTES** Clerks offers the following resolution for adoption:

Moved by Trustee Ryan that the reading of the minutes of the **Regular Meeting on October 4, 2016** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Hobbs

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**APPROVAL OF MISCELLANEOUS LICENSE AND PERMIT APPLICATIONS** Clerk wishes to report that Mayor Hall has reviewed and approved the following miscellaneous license and permit applications:

**Business License for approval**

Cracker King Corp.  
307 Peninsula Blvd.

Taxi Latino  
176 Jackson St.

All Island  
176 Jackson St.

Bakery El Monte Sinai Corp.  
100-A North Franklin St.

Vasquez Beauty Salon  
10 West Columbia St.

Danice Stores, Inc.  
164 Fulton St.

Lesly Dominican Salon  
425-A Jerusalem Ave.

Panda Nails Top Inc.  
271 Fulton Ave.

Famouse Horse Inc. dba VIM  
45 Main St.

El Nopal Restaurant Corp.  
167 Main St.

H&R Block  
42 North Franklin St.

T-Mobile  
112 Fulton Ave

**PENINSULA REALTY GROUP** Clerks offers the following resolution for adoption:

**WHEREAS**, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 400112/2011, in case entitled “In the Matter of PENINSULA REALTY GROUP, Petitioner, against The Assessor and The Board of Assessment Review of the Village of Hempstead, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2009/10 through 2016/17 tax years, for real property tax purposes, for the premises described as Section 34, Block G, Lots 10-12, 585, 586, 642, known as 671 Peninsula Boulevard, Hempstead, New York 11550; and

**WHEREAS**, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to Peninsula Realty Group, owner of 671 Peninsula Boulevard, a total of \$39,000.00, to resolve the issue of the true tax assessment for the 2009/10 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to Peninsula Realty Group, owner of 671 Peninsula Boulevard, a total of \$39,000.00, to resolve the issue of the true tax assessment for the 2009/10 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment; and

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Peninsula Realty Group, for property known as 671 Peninsula Boulevard, Hempstead, New York 11550, for the tax years 2009/10 through 2016/17, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

**BE IT FURTHER RESOLVED**, that the issue of the prospective tax assessment for the tax years 2016/17, 2017/18, and 2018/19 will be \$19,890.00 and that no protest will be filed by Peninsula Realty Group, owner of property known as 671 Peninsula Boulevard, Hempstead, NY, for the tax years 2017/18, 2018/19, and 2019/20; and

**BE IT FURTHER RESOLVED**, that refund interest is waived unless payment of the refund is delinquent; and

**BE IT FURTHER RESOLVED**, that the Office of the Village Attorney is authorized to execute a Stipulation

of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Hobbs  
Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**JOHN & WANDA SENKO**

Clerks offers the following resolution for adoption:

**WHEREAS**, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 400265/2013, in case entitled "In the Matter of JOHN & WANDA SENKO, Petitioner, against The Assessor and The Board of Assessment Review of the Village of Hempstead, Respondents" to resolve the issue of the true assessment, both retroactively and prospectively, for the 2009/10 through 2016/17 tax years, for real property tax purposes, for the premises described as Section 34, Block 394, Lots 29-32, 36-37, known as 89 & 99 Peninsula Blvd. and Peninsula Blvd., Hempstead, New York 11550; and

**WHEREAS**, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to John & Wanda Senko, owner of 89 & 99 Peninsula Blvd. and Peninsula Blvd., a total of \$4,500.00, to resolve the issue of the true tax assessment for the 2009/10 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to John & Wanda Senko, owner of 89 & 99 Peninsula Blvd. and Peninsula Blvd., a total of \$4,500.00, to resolve the issue of the true tax assessment for the 2009/10 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment; and

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of John & Wanda Senko, for property known as 89 & 99 Peninsula Blvd. and Peninsula Blvd., Hempstead, New York 11550, for the tax years 2009/10 through 2016/17, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

**BE IT FURTHER RESOLVED**, that refund interest is waived unless payment of the refund is delinquent; and

**BE IT FURTHER RESOLVED**, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Hobbs  
Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**WEBB GARDENS LLC.**

Clerks offers the following resolution for adoption:

**WHEREAS**, litigation was instituted against the Incorporated Village of Hempstead in the Supreme Court, County of Nassau, State of New York, under Consolidated Index No. 4003108/2014, in case entitled “In the Matter of WEBB GARDENS LLC, Petitioner, against The Assessor and The Board of Assessment Review of the Village of Hempstead, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2011/12 through 2016/17 tax years, for real property tax purposes, for the premises described as Section 34, Block 214, Lots 1-5, 59-61, known as 44 & 50 Webb Avenue, Hempstead, New York 11550; and

**WHEREAS**, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to Webb Avenue, owner of 44 & 50 Peninsula Blvd. and Peninsula Blvd., a total of \$10,697.00, to resolve the issue of the true tax assessment for the 2011/12 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to Webb Gardens LLC, owner of 44 & 50 Webb Gardens a total of \$10,697.00, to resolve the issue of the true tax assessment for the 2011/12 through 2016/17 tax years, payable in one lump sum within 120 days after receipt by the Village of a certified copy of the duly signed and entered Order and Judgment; and

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Webb Gardens LLC, for property known as 44 & 50 Webb Gardens, Hempstead, New York 11550, for the tax years 2011/12 through 2016/17, shall be discontinued with prejudice and that no costs or disbursements shall be awarded to either party; and

**BE IT FURTHER RESOLVED**, that refund interest is waived unless payment of the refund is delinquent; and

**BE IT FURTHER RESOLVED**, that the Office of the Village Attorney is authorized to execute a Stipulation of Settlement and any related documents consistent with this Resolution.

Moved by Trustee Hobbs  
Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs  
NOES: None  
ABSENT: Trustee Pettus; Mayor Hall

**AJM CAPITAL II TAX LIENS  
LEVIED.**

Clerks offers the following resolution for adoption:

**WHEREAS**, as assignee of the County, AJM CAPITAL II, LLC ("AJM") is the holder of certain Nassau County (the "County") Certificates of Sale of Tax Liens (each, a "Certificate" and collectively, the "Certificates") with respect to certain properties (each, a "Property" and collectively, the "Properties") as shown on Exhibit "A" attached to the Agreement;

**WHEREAS**, the Village is the holder of all of the unpaid taxes and liens with respect to the Properties, as shown on Exhibit "C" attached to the Agreement;

**WHEREAS**, since the fair market value of each Property is less than the amount necessary to satisfy the full amount of outstanding taxes, tax liens and interest owed on such Property; and

**WHEREAS**, in the event that the owner of a Property fails to pay the Certificate and as a result AJM obtains title in and to such Property, the Village has agreed subject to the terms and conditions in the Agreement, to relinquish and forever discharge with prejudice the Village Arrears (as defined in the Agreement) in exchange for an allocation of the (i) Net Sales Proceeds and (ii) Net Rental Proceeds as set forth in the Agreement.

**NOW THEREFORE BE IT RESOLVED**, that the Incorporated Village of Hempstead authorizes the Mayor to execute the Agreement annexed hereto which will allow AJM to attempt to (i) recoup taxes levied but not collected on the Properties, which such amounts are to be shared with the Village and the County and (ii) restore the Properties to the active tax rolls and to productive uses, which would result in the future payment of real estate taxes to the Village and the County as well as ancillary benefits to the Village arising from the Properties' restoration to productive uses.

Moved by Trustee Hobbs  
Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs  
NOES: None  
ABSENT: Trustee Pettus; Mayor Hall

**BID #9 HEMV 2015/2016**

Clerks offers the following resolution for adoption:

Moved by Trustee Hobbs that pursuant to the recommendation of Richard Abbate, Purchasing Agent, and Bijan Farahani, Supervisor of Engineering, that **Bid # 9** HEMV 2015/2016, which bid opened October 13, 2015, 2015 Requirement Specification for Repair and/or Replacement of Water Main and valves on various streets in the Inc. Village of Hempstead, be **extended** to the lowest responsible bidder: **Orchid Sewer & Water Contracting Corporation**; 11 Dennis Street, Garden City, New York, 11040 in the amount of \$277,300.00

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**LT. SCOTT DONOHUE**

Clerks offers the following resolution for adoption:

The Board wish to approve acceleration of the 1<sup>st</sup> terminal leave payment in the amount of \$28,229.96 in accordance with the provisions of the Hempstead P.B.A. collective bargaining agreement for Lt. Scott Donohue as previously agreed? **BE RATIFIED.**

Moved by Trustee Hobbs

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**TRACY S. AUGUSTE**

Clerks offers the following resolution for adoption:

The appointment of **TRACY S. AUGUSTE** as **Special Prosecutor** in the Village Court for the period commencing **OCTOBER 19, 2016**, to **April 3, 2017**, at a rate of **\$25.00** per hour.

Moved by Trustee Hobbs

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**AMANDA JACKSON**

Clerks offers the following resolution for adoption:

Moved by Trustee Hobbs authorizing the Village of Hempstead to enter into an agreement with the Nassau County Department of Social Services, 60 Charles Lindbergh Blvd. Suite 160, Uniondale, NY 11553 to allow **Amanda Jackson**, Village of Hempstead Resident, to volunteer up to 20 hours under the Work Experience Program.

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**PERSONNEL**

Clerk offers the following resolution for adoption:

Moved by Trustee Hobbs authorizing the appointment of and/or salary changes for certain full-time and part-time employees of the Incorporated Village of Hempstead as reviewed as follows:

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Salary</b>
Derek Warner 99 Nichols Court Hempstead, NY	Police Department Detective Sergeant	\$146,124 upon approval
Bibi Boucicaut 99 Nichols Court Hempstead, NY	Tax & Water Account Clerk Grade 5/5 Old	\$58,240 upon approval
Wyndel Williams 99 Nichols Court Hempstead, NY	Legal Dept. Legal Assistant Grade 6/4 Old	\$58,049 upon approval
Justin Kum 99 Nichols Court Hempstead, NY	Accounting Computer Operator Grade 22/2 Old	\$87,957 upon approval
Michael White 99 Nichols Court Hempstead, NY	Police Department Neighborhood Aide Grade 5/0 N	\$45,205 upon approval
Colleen Senior 99 Nichols Court Hempstead, NY	Police Department Neighborhood Aide Grade 5/0	\$45,205 upon approval
Hartley Honeghan 99 Nichols Court Hempstead, NY	Police Department Neighborhood Aide Grade 5/0 New	\$45,205 upon CS approval
Joseph Simaren 99 Nichols Court Hempstead, NY	Accounting Accountant Grade 17/0 New	\$62,941 upon CS approval

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**DORIS RINCK**

Clerks offers the following resolution for adoption:

The appointment of **DORIS RINCK** as **Special Prosecutor** in the Village Court for the period commencing **OCTOBER 19, 2016**, to **April 3, 2017**, at a rate of **\$25.00** per hour.

Moved by Trustee Hobbs

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**CHECK WARRANT**

adoption:

Clerk offers the following resolution for

Moved by Trustee Hobbs that all meeting bills, including self-insurance funds, audited by the Board of Trustees on check warrant dated **October 18, 2016**, be approved as previously reviewed.

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

**MEETING ADJOURNED**

There being no other business to come before the Board, Trustee Hobbs moved to adjourn.

Seconded by Trustee Ryan

AYES: Trustees Figueroa, Ryan, Hobbs

NOES: None

ABSENT: Trustee Pettus; Mayor Hall

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Village Clerk