

Hempstead, New York

February 3, 2021

REGULAR MEETING

A Regular Meeting of the Board of Trustees of the Incorporated Village of Hempstead was held at the Board Room, 99 James A. Garner Way, NY 11550 at 6:30 p.m.

ROLL CALL

Trustee Johnson, Hobbs, Renfroe, and Mayor Ryan

VIA ZOOM

Trustee Daniels

Also Present:

Cherice Vanderhall, Village Attorney
Patricia Perez, Village Clerk

Presentation of activities report by the public bodies of the Incorporated Village of Hempstead:

Community Development Agency – Commissioner Charlene Thompson

Historian - Reine Bethany

ACCEPTANCE OF MINUTES

Clerks offers the following resolution for adoption:

Moved by Trustee Daniels that the reading of the minutes of the **regular meeting of January 19, 2021** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Renfroe

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels and Mayor Ryan

NOES: None

198 GRAHAM AVE.

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. 400816/2017, in case entitled “In the Matter of NMD REALTY HOLDING LLC , Petitioner, against The Board of 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 2013/14 through 2020/2021 tax years, for real property tax purposes, for the premises described as Section 36, Block 057, Lot 57-58, known as 198 Graham 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 NMD REALTY HOLDING LLC., owner of 198 Graham Avenue, a total of \$23,238.00, to resolve the issue of the true tax assessment for the 2013/2014 through 2020/2021 tax years, payable in one lump sum within 90 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 DESILEE REALTY CORP., N/K/A NMD REALTY HOLDING LLC., owner of 198 Graham Avenue, a total of \$23,280.00, to resolve the issue of the true tax assessment for the 2013/14 through 2020/21 tax years, payable in one lump sum within 90 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 NMD REALTY HOLDING LLC., for property known as 198 Graham Avenue, Hempstead, New York 11550, for the tax years 2013/14 through 2020/21 , 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 2021/2022, 2022/2023 and 2023/2024 will be \$7,700.00 and that no protest will be filed by, NMD REALTY HOLDING LLC., owners of property known as 198 Graham Avenue, Hempstead, New York 11550, for the tax years 2021/2022, 2022/2023 and 2023/2024; 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 Renfroe

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels and Mayor Ryan
NOES: None

REAL PROPERTY TAX LAW

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of Verlene Holder, Superintendent of Tax Water Department that Thursday, **May 6, 2021** be set aside as the date on which to hold a tax sale, pursuant to New York State Real Property Tax Law; Chapter 602 of the Laws of 1993, Section 6(c), as amended L. 1994, ch. 532, §9, as amended by L. 2012, ch. 154, §1, as amended by L. 2015, ch. 512, §1; and the Incorporated Village of Hempstead Code Section 119-19, and that publication of such sale regarding unpaid **2020/21** taxes and tax liens be made for three (3) consecutive weeks prior to the actual sale date.

Moved by Trustee Hobbs

Seconded by Trustee Johnson
AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

TAX ROLL2021/22

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of Verlene Holder, Superintendent of Tax Water Department that authorization is hereby granted for the transfer of the following delinquent items to the **2021/2022** Tax Roll as of **May 1, 2021**:

- All unpaid special assessments for lot cleaning, water leak charges, securing of hazardous buildings and demolitions, sidewalks, curbs and gutters, and ETPA assessments;
- All unpaid arrears, water exceeding \$10.00 incurred prior to **April 1, 2021**, plus penalties, and transfer charges of \$10.00 or 10 percent, whichever is greater;
- All unpaid omitted taxes.

Moved by Trustee Renfroe
Seconded by Trustee Johnson

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

TAX SALE NOTICE

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Verlene Holder, Superintendent of Tax Water Department** that a charge of \$15 per item be made against each parcel of property listed in the tax sale notice-advertising taxes which remain open and unpaid as of **January 31, 2021**.

Moved by Trustee Johnson
Seconded by Trustee Hobbs

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

J.R HOLZMACHER WALDEN ASSOCIATES

Clerks offers the following resolution for adoption

RESOLVED, by the recommendation of **Joe Gill**, Village Treasurer, the Board of Trustees hereby approves for Inc. Village of Hempstead to enter into a contract with J.R. Holzmacher P.E. LLC., 3555 Veterans Memorial Highway, Suite A, Ronkonkoma, NY 11779 and Walden Environmental Engineering, 16 Spring St., Oyster Bay, NY 11771 for a utility rate study for the Village of Hempstead Water System.

Moved by Trustee Hobbs
Seconded by Trustee Johnson

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

**5 NEW POLICE VEHICLES
(SAM)**

Clerks offers the following resolution for adoption:

WHEREAS, the State awarded the Incorporated Village of Hempstead a State and Municipal Facilities Program (“SAM”) grant in the amount of \$150,000.00 for the purchase of 5 new Police Vehicles (project ID; #19214) for a total cost of **\$177,392.00**. Matching funds are required with this grant. The Village of Hempstead will have to pay for the entire cost of the project from fund balance and upon completion of the purchase and requirement under the grant have been met, the Village will be reimburse the \$150,000.00, which will be restored back to the fund balance.

WHEREAS, pursuant to § 617.5 (c) 31 and 27 of SEQRA, actions such as the “purchase or sale of furnishings, equipment or supplies, including surplus government property, other than the following: land, radioactive material, pesticides, herbicides, or other hazardous materials,” are designated as Type II actions and require no further action pursuant to SEQRA.

NOW, THEREFORE the Village Board recognizes pursuant to pursuant to § 617.5 of SEQRA, the Rules and Regulations of SEQRA, the aforementioned proposed actions, are Type II actions, which require no further action pursuant to SEQRA.

Moved by Trustee Renfroe
Seconded by Trustee Hobbs

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

ELECTRICAL LICENSE

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Joe Simone, Superintendent of Building Department**, that the Board of Trustees hereby appoints and/or approves to issue licenses as

Master Electrician.

Jamie Minnick
54 Birch Court
Riverhead, NY

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan

NOES: None

**DAVID B. GATES II WAY
STREET DESIGNATION**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Mayor Ryan**, that **the** Board of Trustees hereby granted for the honorary designation of Cooper Street in the Incorporated Village of Hempstead as **“Bishop David B. Gates, II Way”** and steps be taken to post street signs setting forth this honorary designation, which will not change the legal name of Cooper Street but merely provide for a second sign with the aforementioned designation.

Moved by Trustee Johnson
Seconded by Trustee Hobbs

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels and Mayor Ryan
NOES: None

**FELIX LUIS INC dba
CARIBE BAR**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Cherice Vanderhall, Village Attorney**, the Board of Trustees hereby approve the Clerk’s denial of the business License to **Felix Luis Inc. dba Caribe Bar**, as discussed at public hearing which was held on Tuesday, January 19, 2021.

Moved by Trustee Hobbs
Seconded by Trustee Daniels

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels and Mayor Ryan
NOES: None

MELANIE CHAVEZ-ZELAYA

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation Ronald Martin. Sanitation General Supervisor hereby appoint and/or approve the following appointment to the position of Laborer-PT for the Incorporated Village of Hempstead

Name	Department/Title/Grade	Base Salary
Melanie Chavez-Zelaya (New hire)	DPW - Sanitation Laborer-PT	\$14.91 hr upon

Moved by Trustee Hobbs
Seconded by Trustee Johnson

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels and Mayor Ryan
NOES: None

**WORKERS COMPENSATION
SETTLEMENT**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Gary Woo, Deputy Village Treasurer**, that the Board of Trustees approves to settle the Worker's Compensation claim in a total amount of \$12,878.75

Moved by Trustee Johnson
Seconded by Trustee Renfroe

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

CHECK WARRANT

Clerks offers the following resolution for adoption

RESOLVED, that upon the recommendation of **Joe Gill, Village Treasurer** all meeting bills, audited by the Board of Trustees on check warrant dated **February 2, 2021** be approved as previously reviewed.

Moved by Trustee Hobbs
Seconded by Trustee Renfroe

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

EXECUTIVE SESSION

Clerks offers the following resolution for adoption

Moved by Trustee Renfroe to enter into an executive session regarding pending litigation

Seconded by Trustee Hobbs

Time in 8:12 pm

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

Moved by Trustee Renfroe to come out of executive session

Seconded by Trustee Johnson

Time out 8:30 pm

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan
NOES: None

**EXECUTIVE SESSION
APPROVAL**

Clerks offers the following resolution for adoption

The Board wishes to approve matter that was discussed in executive session.

Moved by Trustee Renfroe
Seconded by Trustee Johnson

AYES: Trustee Johnson, Hobbs, Renfroe, Daniels
and Mayor Ryan

MEETING ADJOURNED

NOES: None

Clerks offers the following resolution for adoption

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

Seconded by Trustee Hobbs

AYES: Johnson, Hobbs, Daniels, Renfroe and Mayor Ryan

NOES: None

Village Clerk