

Hempstead, New York

February 7, 2023

**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 Daniels, Burroughs, Griffith, Boone; Mayor Hobbs

**Also Present:**

Keisha Marshall, Village Attorney  
Stephany Braxton, Deputy Village Clerk

**SALUTE TO THE FLAG**

flag

Mayor Hobbs called the meeting to order and asked everyone present to rise and join in a salute to the  
of the United States of America

**THE VILLAGE OF HEMPSTEAD CELEBRATES  
THE 30<sup>TH</sup> ANNIVERSARY OF THE FAMILY AND MEDICAL LEAVE ACT  
PROCLAMATION**

**WHEREAS**, February 5, 2023, marks the 30<sup>th</sup> Anniversary of the Family and Medical Leave Act (FMLA); and

**WHEREAS** the Family and Medical Leave Act is the first federal law to provide job-protected leave for family and medical reasons; and

**WHEREAS**, the Family and Medical Leave Act protects eligible employees' leave for the birth of a child or placement of a child with the employee for adoption or foster care; leave to care for a spouse, parent, or child with a serious health condition; leave for their own serious health condition; leave for certain reasons related to a family member's foreign deployment; or leave to care for a family member who is a current servicemember or recent veteran with a serious injury or illness.

**WHEREAS**, more than 500 million family and medical leaves have been taken since the FMLA's implementation, as reported by the U.S. Department of Labor, contributing to healthier and happier families and communities.

**WHEREAS**, The Village of Hempstead recognizes that while the Family and Medical Leave Act remains a transformative workplace protection, too many workers are unable to afford to take unpaid leave.

**WHEREAS** The Village of Hempstead established paid family and medical leave for our own workforce in 1993 which has enabled our Village to recruit talented employees.

**WHEREAS** The Village of Hempstead seeks to empower all workers to understand and exercise their leave rights and recognizes that the US Department of Labor is available to assist;

**NOW, THEREFORE**, I, Waylyn Hobbs Jr., Mayor, of The Village of Hempstead, do hereby declare and celebrate the **5<sup>th</sup> day of February 2023**, as the **30<sup>th</sup>** Anniversary of the Family Medical Leave Act.



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

- Recreation and Parks Commission – Chairperson Vanessa Henry
- Human Relations – Juanita Hargwood, Director
- Personal Service Wireless Facilities Board – Zoning Officer Deloris Mc Queen
- Hempstead Library Board – Irene Duszkievicz, Library Director
- Traffic Safety Board – Lt. Kirichenko / Chairperson Mary Burns
- Board of Zoning Appeals – Chairman Danny Leo
- Planning Board – Chairperson Kennetha Pettus
- Hempstead Housing Authority – Chairman Shereen Goodson
- Community Development Agency – Commissioner Danielle Oglesby
- Electrical Board – Ronald Magarie
- Plumbing Board – Chairperson Kelly Magee
- Historian - Reine Bethany
- Hempstead Chamber of Commerce – Belinda Watkins

**APPROVAL OF  
MISCELLANEOUS LICENSE  
AND PERMIT APPLICATIONS**

Clerk wishes to report that Mayor Hobbs & Deputy Mayor Daniels have approved miscellaneous Business licenses as reviewed

**GENERAL BUSINESS:**

Makkah Mobile Inc. dba Cell City Repair Center (New)  
Sofia Hafeez  
235 Fulton Ave

Nassau Deli Inc. (New)  
Chidinma S. Nwaeke  
168B Jackson Street

Harbor Freight Tools USA Inc. (Renewal)  
Harbor Freight Tools USA Inc.  
270 Peninsula Blvd.

Eason Eyewear Inc. (Renewal)  
Xuebo Ye  
171 Greenwich Street

Latinas Serviexpress Corp. (Change of Location)  
168 Jackson Street  
Carmelita Martin

Industrial Medicine Associates P.C. (Renewal)  
IMA Group

250 Fulton Ave Ste. 407

Hollywood Deli Inc. (Renewal)  
Felix D. Espinal  
503 South Franklin St.

El Toro 5 Estrellas Restaurant Corp. (Renewal)  
Romulo J. Marcia  
255-B Fulton Ave  
Variedades Vanessa Corp. (Renewal)  
Kathy J. Reyes Rodriguez  
153 Main Street

Living Clean LLC (Renewal)  
Joseph G. Umana  
7 Margaret Court

**JUSTICE COURT (Monthly Report submitted by Village Justice Brianna A. Vaughan)**

Report of the Village Justice for the month of **December 2022**

Total number of cases before the court	3,100
Total monies remitted to Village Comptroller	\$265,549.59

(Copy of this report is on file in the Village Clerk’s Office and may be viewed by the public during office hours.)

**M&E REALTY LLC  
310 MAIN ST.**

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. 401217/2020, in case entitled “In the Matter of the Application of M&E 310 Realty LLC N/K/A 321 Post Avenue Corp., Petitioner, against The Assessor, the Board of Assessors and the Board of Assessment Review of the Village of Hempstead and the Village of Hempstead, Respondents.” to resolve the issue of the true assessment, retroactively, for the 2016/17 through 2022/23 tax years and prospectively, for real property tax purposes, for the premises described as Section 34, Block 180, Lots 241-243 known as 310 Main Street, Hempstead, New York 11550;

**WHEREAS**, by proposed Stipulation of Settlement, subject to the approval of this Board, the Village has agreed to refund to M&E 310 Realty LLC N/K/A 321 Post Avenue Corp., owner of 310 Main Street, a total of \$40,000.00, to resolve the issue of the true tax assessment for the 2016/17 through 2022/23 tax years, payable in two equal installments of \$20,000.00; the first half will be paid within 365 days after receipt of one certified copy of an Order and Judgment upon the Treasurer of the Village of Hempstead and the second half to be paid within 730 days after the Village Treasurer’s receipt of the Order and Judgment.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to M&E 310 Realty LLC N/K/A 321 Post Avenue Corp., owner of 310 Main Street, Hempstead, New York 11550, a total

of \$40,000.00 to resolve the issue of the true tax assessment for the 2016/17 through 2022/23 tax years, payable in two equal installments of \$20,000.00; the first half will be paid within ninety 365 days after receipt of one certified copy of the Order and Judgment upon the Treasurer of the Village of Hempstead and the second half to be paid within 730 days after the Village Treasurer's receipt of the Order and Judgment; and

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of M&E 310 Realty LLC N/K/A 321 Post Avenue Corp., owner of 310 Main Street, Hempstead, New York 11550, for the tax years 2016/17 through 2022/23 tax years, 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 2023/24, 2024/25, and 2025/26 will be \$14,668.00 and that no protest will be filed by M&E 310 Realty LLC N/K/A 321 Post Avenue Corp., owner of property known as 310 Main Street, Hempstead, New York, for the tax years 2023/24, 2024/25, and 2025/26; 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 Boone  
Seconded by Trustee Burroughs

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**143 ADAMS AVE.  
JOHN & KATHLEEN ALBRECHT**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Keisha Marshall, Village Attorney** the Board of Trustees hereby approves the agreement between the Village of Hempstead and John Albrecht and Kathleen Albrecht to resolve delinquent tax liens and assessments for property known as **143 Adams Avenue**. Hempstead, New York.

Moved by Trustee Burroughs  
Seconded by Trustee Griffith

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**SHOTSPOTTER SST**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Richard Holland, Assist. Chief of Police**, that the Board of Trustees hereby approves to enter into an

agreement with SST, Inc. (referred to herein as "ShotSpotter") to provide gunshot detection solutions to help the Village of Hempstead to identify, analyze, and respond to violent gun crime.

Moved by Trustee Boone  
Seconded by Trustee Burroughs

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

## REAL PROPERTY TAX LAW

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Grace Lawrence, Senior Accountant of Tax Water Department** that Thursday, **May 4, 2023** 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 **2022/23** taxes and tax liens be made for three (3) consecutive weeks prior to the actual sale date.

Moved by Trustee Burroughs  
Seconded by Trustee Griffith

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**BE IT RESOLVED** that 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, the Board of Trustees of the Village of Hempstead, New York, hereby determine that the unpaid **2022/23** taxes be collected by means of a Tax Sale and that the sale for unpaid taxes for the year **2022/23** provided for by said State and Local laws shall be commenced and completed subsequent to the **1<sup>st</sup>** day of **April**, but not later than the **31<sup>st</sup>** of July in the year **2023**, and

**BE IT FURTHER RESOLVED** that such sale for said unpaid Village Taxes shall be held on the **4<sup>th</sup>** day of and, **May 2023**

**BE IT FURTHER RESOLVED** that the Board of Trustees of the Village of Hempstead, pursuant to the authority vested in them by the Real Property Tax Law of the State of New York, as amended and the Code of the Incorporated Village of Hempstead, hereby determine to collect the amount of such unpaid tax lien and taxes so levied or assessed by 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 that a copy of this resolution certified by the Clerk shall be transmitted forthwith to the Treasurer of the Village with amount, affidavit, and certificate of such amount of unpaid assessments and that the Village Treasurer upon receiving such amount of unpaid taxes and assessments and a certified copy of this resolution, be and hereby is authorized and directed to cause to be published in the Hempstead Beacon which is designated as the official newspaper of the Village of Hempstead, for such purpose and which newspaper is circulated in the Village of Hempstead, once each week for three successive weeks on **April 14, April 21 and April 28, 2023**, a list or statement of real estate upon which such taxes and assessment are unpaid as shown on the tax list and account of the Village Clerk and Tax Collector, with the amount of taxes, fees, interest, and charges thereon and also a notice that said real estate will be on the **4<sup>th</sup> day of May 2023**, at ten o'clock in the forenoon of that day, in the Village Hall, 99 James A. Garner Way, Hempstead, New York sold at public auction to discharge such unpaid tax liens and taxes, fees, interests, and charges aforesaid which may be due thereon at the time of such sale, and that said Village Treasurer pursuant to be provisions of 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 at the time and place specified in said notice, shall proceed with the sale of said real estate upon notice which such unpaid tax liens and taxes are unpaid as set forth in the above account of the Village Clerk and Tax Collector, excepting therefrom such unpaid tax liens and taxes as may have been paid to the Village of Hempstead with interest and penalties up to the time of such sale and continue such sale from day to day until such sale is completed.

That such real estate shall be sold subject to any unpaid tax lien and taxes purchased or held by the said Village of Hempstead, such sale is also subject to the right of redemption by the property owner[s] within 2 years from **May 4<sup>th</sup> 2023**, after which time the real estate may be conveyed to the purchaser, or to the legal representatives or assigns of the purchaser, and

**BE IT FURTHER RESOLVED** that in addition to the unpaid tax items hereinbefore mentioned there shall also be included the following unpaid items covering assessment levied for

(WHATEVER MAY BE OPEN AT THE TIME)

**BE IT FURTHER RESOLVED** that in all cases where a bid shall be made on a lot or parcel of land so offered for sale, it shall be accompanied by a

forfeitable deposit in the amount of ten per centum of the unpaid tax, penalties, and interest, etc. accrued on said parcel at the time of tax sale and,

**BE IT FURTHER RESOLVED** that in all cases where no bid shall be made on a lot or parcel of land so offered for sale, for an amount sufficient to pay such unpaid tax lien and taxes shall be deemed to have been sold to and purchased by the Village of Hempstead, and

**BE IT FURTHER RESOLVED** that the Clerk shall receive from the newspaper, proof of due publication of such list and notice and shall cause said newspaper to file the same in the Office of the Clerk of said Village within three days after the last publication thereof and the Clerk shall cause the same to be properly indexed and numbered.

#### **TAX ROLL 2023/24**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Grace Lawrence, Senior Accountant of Tax Water Department** that authorization is hereby granted for the transfer of the following delinquent items to the **2023/2024** Tax Roll as of **May 1, 2023**:

- 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, 2023**, plus penalties, and transfer charges of \$10.00 or 10 percent, whichever is greater;
- All unpaid omitted taxes.

Moved by Trustee Burroughs  
Seconded by Trustee Daniels

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

#### **TAX SALE NOTICE**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Grace Lawrence, Senior Accountant 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, 2023**.

Moved by Trustee Burroughs  
Seconded by Trustee Daniels

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**HEMPSTEAD HOUSING AUTHORITY PENALTIES** Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation **Keisha Marshall, Village Attorney** the Board of Trustees approves that the penalties pursuant to Village Code § 135-10 imposed on the Housing Authority be voided; and that the Housing Authority be authorized to pay the sum of \$18,507.07 for the quarter ending November 1, 2021.

Moved by Trustee Burroughs  
Seconded by Trustee Griffith

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**TRAFFIC & SAFETY BOARD RECOMMENDATIONS** Clerks offers the following resolution for adoption

The following recommendations were made at the Traffic Safety Board Meeting held on **January 30, 2023**:

1. Repeal and remove all “No Parking, 9AM-4PM, excluding Sat, Sun and Holidays” signs along the north and south sides of ASTOR COURT. Install “No parking 11:30 PM – 8AM” signs for the entire length of the north and south sides of ASTOR COURT.
2. Install a “No Parking Here to Corner” sign with an arrow pointing south, on the west side of CLINTON STREET, at a point 50 feet north of the north curb line of Burr Avenue.
3. Install a “No Parking here to Corner” sign with an arrow pointing south, on the west side of MAIN STREET, at a point 45 feet north of the north curb line of Jackson Street.
4. Install a “No Parking Any Time” sign with an arrow pointing south on the west side of SUNSET DRIVE, at a point 200 feet south of the south curb line of Front Street. Also, Install a “No Parking Any Time” sign with an arrow pointing north on the west side of SUNSET DRIVE, at a point 262 feet south of the south curb line of Front Street.
5. Repeal and remove the “No Parking, Active Driveways” sign on the west side of HILBERT AVENUE, 305 feet north of Fulton Avenue.
6. The Traffic and safety Board endorses the Legal Bureau to issue parking permits for five (5) spaces in Parking Field 5C to the child day care enter that is proposed for 100 Main Street (Station Plaza entrance). The spaces can be utilized for the picking up and dropping off of children. It is further recommended that, if possible, the reserved parking spaces be located on the east side of the parking field along Denton Green.

Moved by Trustee Boone  
Seconded by Trustee Burroughs

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**TAX & WATER ITEMS DISPOSE**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Grace Lawrence, Senior Accountant of Tax Water**



**Department**, the Board of Trustees approves to dispose 5 items that have become unsuitable/obsolete for Tax and Water Department. Items are (1) Satellite 4 Typewriter, (1) IB4 Typewriter and (3) Uniwell Cash registers.

Moved by Trustee Boone  
Seconded by Trustee Burroughs

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**ASSURANCE WIRELESS  
BY T-MOBILE**

Clerks offers the following resolution for adoption

Moved by Trustee Burroughs that authorization be granted for Assurance Wireless by T-Mobile, 135 Pinelawn Rd. Ste 240, Melville, N.Y., 11747, to provide cell phones to the community at no cost, **Tuesdays & Thursdays, from 10:00 am to 3:00 pm.**, from February 8, 2023 to April 30, 2023, in Parking Field 6. Said permission is contingent upon: compliance with the rules and regulations of the Hempstead Police Department and all liability in connection with the holding of this event and observance of the Code of the Village of Hempstead as it applies to group gatherings of this type; the filling of all appropriate insurance as determined by the Board herein; and indemnification and the execution of a hold harmless agreement on such terms and conditions as may be acceptable to the Village Attorney.

Seconded by Trustee Boone

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**PUBLIC HEARING  
APPROVAL**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Keisha Marshall, Village Attorney**, the Board of Trustees hereby approve **the Village of Hempstead's Restore NY Round 7 grant application for the 2022 program year**, for which a public hearing was held on **January 17, 2023**

Moved by Trustee Boone  
Seconded by Trustee Burroughs

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**AREA 516 NIGHTCLUB  
INC.**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of **Keisha Marshall, Village Attorney**, the Board of Trustees hereby revokes the Business License to

**Area 516 Nightclub Inc.**, by the Incorporated Village of Hempstead, for which a public hearing was held on **January 17, 2023**

Moved by Trustee Boone  
Seconded by Trustee Daniels

AYES: Trustees Daniels, Boone; Mayor Hobbs  
NOES: None  
ABSTAINED: Burroughs, Griffith

**PAUL NEWKIRK**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of Frank Germinaro, Director of Public Works, the Mayor hereby appoint and/or approve the following to the position of Motor Equipment Operator Trainee for the Incorporated Village of Hempstead.

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Paul Newkirk (PT-FT)	DPW- Streets MEO Trainee Grade 107/0 N	\$ 56,948 Yr upon approval

Moved by Trustee Burroughs  
Seconded by Trustee Griffith

AYES: Trustees Daniels, Burroughs, Griffith, Boone; Mayor Hobbs  
NOES: None

**ANDY LOPEZ**

Clerks offers the following resolution for adoption

**RESOLVED**, that upon the recommendation of Richard Holland, Assistant Chief, the Mayor hereby appoint and/or approve the following to the position of Typist-Clerk, Bilingual for the Incorporated Village of Hempstead.

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Andy Lopez (PT-FT)	Police Typist clerk, Bilingual Grade 3/0 N	\$ 48,960 Yr upon CS approval

Moved by Trustee Griffith  
Seconded by Trustee Daniels

AYES: Trustees Daniels, Burroughs, Griffith, Boone; Mayor Hobbs  
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 7, 2023**, be approved as previously reviewed.

Moved by Trustee Boone  
Seconded by Trustee Griffith

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

**MEETING ADJOURNED**

Clerks offers the following resolution for adoption:

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

Seconded by Trustee Boone

AYES: Trustees Daniels, Burroughs, Griffith, Boone;  
Mayor Hobbs  
NOES: None

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Deputy Village Clerk