

Hempstead, New York

May 18, 2021

PUBLIC HEARING

A Public Hearing of the Board of Trustees of the Incorporated Village of Hempstead was held at the Board Room, 99 James A. Garner Way, Hempstead, NY 11550 at 6:00 p.m.

ROLL CALL

Trustees Daniels, Williams, Griffith, Boone and Mayor Hobbs

Also Present:

Keisha Marshall, Village Attorney
Stephany Braxton, Deputy Village Clerk

**NOTICE OF PUBLIC HEARING
VILLAGE OF HEMPSTEAD**

PLEASE TAKE NOTICE that a public hearing will be held in the Village Hall, 99 James A. Garner Way, Hempstead, New York, on **Tuesday, May 18, 2021** at **6:00 p.m.** to establish a Board of Fire Commissioners to oversee the Village of Hempstead Fire Department.

The proposed agreement is on file in the Office of the Village Clerk, Village Hall, 99 James A. Garner Way, Hempstead, New York, where the same may be inspected during office hours.

ALL PERSONS INTERESTED shall have an opportunity to be heard on said proposal at the time and place aforesaid.

BY ORDER OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF HEMPSTEAD

WAYLYN HOBBS, MAYOR
PATRICIA PEREZ, VILLAGE CLERK

Dated: April 20, 2021
D/P: May 7, 2021

To establish a Board of Fire Commissioners to oversee the Village of Hempstead Fire Department.

MEETING CLOSED

Moved by Trustee Daniels that this hearing be closed
Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

Hempstead, New York

May 18, 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, Hempstead, NY 11550 at 6:30 p.m.

ROLL CALL

Trustees Daniels, Williams, Griffith, Boone and 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

ACCEPTANCE OF MINUTES

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Patricia Perez, Village Clerk** the Board of Trustees hereby waives a reading of the minutes of the **Regular meeting of May 4, 2021** and accepts them as reviewed.

Moved by Trustee Daniels that the reading of the minutes of the **Regular meeting of May 4, 2021** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Boone

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs

NOES: None

PARKING LOT 5C

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Keisha Marshall**, Village Attorney, that the Board of Trustees hereby approves that the Village resolves to eliminate four parking spaces within Parking Lot 5C from being rented or leased or otherwise occupied by vehicles so that it may be utilized as a part of the Clocktower Project on Main Street.

WHEREAS, Village of Hempstead Municipal Parking Lot 5C is real property located within the Village and Town of Hempstead known on the Nassau County Land and Tax Map and designated as Section 34, Block 333-02, Lots 15, 19, 20, 121, 225 & 325.

WHEREAS, the Village of Hempstead is committed to community revitalization efforts and economic development within the Village of Hempstead.

WHEREAS, in order for the proposed Clocktower Project on Main Street to proceed, it requires the elimination of four (4) parking spaces within Parking Lot 5C owned by RDUА Parcel 7 LLC but operated and controlled by the Village of Hempstead.

WHEREAS, RDUА Parcel 7 LLC and the County of Nassau do not object to the elimination of these parking spaces.

WHEREAS, this project will not affect the parking available under the existing deed covenants in transferring this lot to RDUА Parcel 7 LLC or the existing parking license agreement between the Village of Hempstead and the County of Nassau because these spaces are not in use by the County of Nassau and are not a part of the existing parking license agreement.

WHEREAS, the Clocktower Project as proposed is consistent with the community revitalization efforts and economic development of the Village of Hempstead.

NOW THEREFORE, BE IT RESOLVED that in order for the proposed Clocktower Project on Main Street to proceed, it requires the elimination of 4 parking spaces within Parking Lot 5C owned by RDUА Parcel 7 LLC but operated and controlled by the Village of Hempstead.

BE IT FURTHER RESOLVED that RDUА Parcel 7 LLC and County of Nassau do not object to the elimination of these parking spaces.

BE IT FURTHER RESOLVED that this project will not affect the parking available to the County under the existing deed covenants in transferring this lot to RDUА Parcel 7 LLC because these spaces are not in use by the County of Nassau.

BE IT FURTHER RESOLVED that the Clocktower Project is consistent with the community revitalization efforts and the economic development of the Village of Hempstead.

Moved by Boone
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

73 HIGH STREET

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Jacqueline Zore, Deputy Village Attorney** the Board of Trustees hereby approves the settlement of Tax Certiorari matter with **KHR PROPERTIES INC.**,

for the property known as **73 High Street**, Hempstead, New York in a total of \$15,000.00 for the tax years 2012/13 through 2020/21.

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. 402584/2021, in case entitled "In the Matter of the Application of KHR Properties Inc., 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 2012/13 through 2020/21 tax years, for real property tax purposes, for the premises described as Section 34, Block 300, Lot(s) 15-16, known as 73 High Street, 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 KHR Properties Inc., owner of 73 High Street, a total of \$15,000.00, to resolve the issue of the true tax assessment for the 2012/13 through 2020/21 tax years, payable in one lump sum within 90 days after receipt by the Village of one certified copy of an Order and Judgment;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village has agreed to refund KHR Properties Inc., owner of 73 High Street, a total of \$15,000.00, to resolve the issue of the true tax assessment for the 2012/13 through 2020/21 tax years, payable in one lump sum of \$15,000.00 within 90 days after receipt by the Village of one certified copy of an Order and Judgment; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of KHR Properties Inc., owner of the property known as 73 High Street, Hempstead, New York 11550, for the tax years 2012/13 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 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 Griffith
Seconded by Trustee Boone

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs

NOES: None

55-57 MAIN STREET

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Jacqueline Zore, Deputy Village Attorney** the Board of Trustees hereby approves the settlement of Tax Certiorari matter with **SRA Realty Co.**, for the property known as **55-57 Main Street**, Hempstead, New York in a total of \$18,000.00 for the tax years 2013/14 through 2020/21.

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. 400979/2017, in case entitled “In the Matter of SRA Realty Co., Petitioner, against The Board of Assessors and the Board of Assessment Review of the Village Hempstead, Respondents” to resolve the issue of the true assessment, both retroactively and prospectively, for the 2013/14 through 2020/21 tax years, for real property tax purposes, for the premises described as Section 34, Block 339, Lot 47, known as 55-57 Main Street, 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 SRA Realty Co., owner of 55-57 Main Street, a total of \$18,000.00, 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 from Village’s receipt of a certified Order and Judgment with Notice of Entry;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to SRA Realty Co., owner of 55-57 Main Street, a total of \$18,000.00, 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 Village’s receipt of a certified Order and Judgment with Notice of Entry; and

BE IT FURTHER RESOLVED, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of SRA Realty Co., for property known as 55-57 Main Street, 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 2021/22, 2022/23, and 2023/24 will be \$14,700.00 and that no protest will be filed by SRA Realty Co., owner of property known as 55-57 Main Street, Hempstead, NY, for the tax years 2021/22, 2022/23, and 2023/24; and

BE IT FURTHER RESOLVED that the Superintendent of Tax & Water is directed to issue an amended tax bill to reflect the reduction in assessed

value in the 2021/22 year's taxes for those properties receiving a reduction in assessed value; and

BE IT FURTHER RESOLVED, that any penalties accrued prior to the issuance of the amended tax bill will be waived; 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 Williams
Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

MCS CONSULTANTS INC.

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Mayor Waylyn Hobbs Jr.**, the Board of Trustees hereby approves that authorization be granted for the Village of Hempstead to enter into an agreement with **MCS Consultants Inc.**, 2138 Wantagh Avenue, Suite 101, Wantagh, NY 11793 to provide security services that will safeguard all employees and visitors to Village Hall effective from **June 1, 2021** through **May 31, 2023**. Be it resolved that the Mayor be and he hereby is authorized to execute said agreement on behalf of the Village of Hempstead on such terms and conditions as may be acceptable to the Village Attorney.

Moved by Daniels
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

MILLENNIUM TOYOTA LLC.

Clerks offers the following resolution for adoption:

RESOLVED that upon the recommendation of **Keisha Marshall, Village Attorney** that the Mayor and Board of Trustees hereby approves to enter into an agreement with Millennium Toyota, LLC., 257 Franklin St., Hempstead, New York, 11550, to utilize one hundred and eighty one (181) parking spaces all located in Municipal Parking Field #11B from June 1, 2021 through May 31, 2022.

Moved by Williams
Seconded by Trustee Boone

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

**LIFE AFTER LOSS
A.N.D.R.E**

Clerks offers the following resolution for adoption:

Moved by Trustee Daniels that authorization be granted for **Life after Loss A.N.D.R.E.**, 12 Green Ave, Hempstead, New York 11550 to conduct a gathering on Friday, June 4, 2021 at Denton Green Park **from 6:00 pm to 8:30 pm**. 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: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

**WORLDWIDE REVIVAL
MINISTRIES INC.**

Clerks offers the following resolution for adoption:

Moved by Trustee Daniels that authorization be granted for **Worldwide Revival Ministries, Inc.** 158 Main St., Hempstead, New York 11550 to conduct a Church Services on the rear of Parking Field #11, May 16, 2021 **from 10:00 am to 6:00 pm** with a total cost of \$1,566.00. 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. **Be ratified**

Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

**INDUSTRIAL
DEVELOPMENT AGENCY**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Waylyn Hobbs Jr., Mayor**, the Board of Trustees hereby appoints LaMont Johnson to replace Karla Guerra in the Town of Hempstead Industrial Development Agency when reviewing agreements for projects located within the Village of Hempstead.

Moved by Daniels
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

OLGA PINEDA

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Michael Taylor, Supervisor Water Plant**, that the Board of Trustees hereby approves for Olga Pineda to carry over 8-vacation days past her anniversary on June 7, 2021.

Moved by Daniels
Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

EL CONQUISTADOR

Clerks offers the following resolution for adoption:

WHEREAS, The Village Clerk denied the renewal of the business and Cabaret Licenses for business known as El Conquistador, 221 Greenwich Street, Hempstead, N.Y. 11550, pursuant to Section 86-5 of the Village Code.

WHEREAS, it has come to the Village's attention that El Conquistador conducting business at 221 Greenwich Street, Hempstead, N.Y. 11550, as a restaurant appeals the Village Clerk's denial pursuant section 86-10 of the Village of Hempstead Code.

THE VILLAGE CLERK
HEREBY SCHEDULES a public hearing to be held on the **15th** day of **June, 2021** at **5:00 p.m.** at Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider denial of renewing the Business License to El Conquistador by the Incorporated Village of Hempstead

Moved by Boone
Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

METRO DELI

Clerks offers the following resolution for adoption:

WHEREAS, The Village Clerk denied the renewal of the business License for business known as Metro Deli, 139 Jackson Street, Hempstead, N.Y. 11550, pursuant to Section 86-5 of the Village Code.

WHEREAS, it has come to the Village's attention that Metro Deli conducting business at 139 Jackson Street, Hempstead, N.Y. 11550, as a Deli & Grocery Store appeals the Village Clerk's denial pursuant section 86-10 of the Village of Hempstead Code.

THE VILLAGE CLERK

HEREBY SCHEDULES a public hearing to be held on the **15th** day of **June, 2021** at **5:30 p.m.** at Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider denial of renewing the Business License to **Metro Deli** by the Incorporated Village of Hempstead.

Moved by Boone
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

HONDURENA INC.

Clerks offers the following resolution for adoption:

WHEREAS, The Village Clerk denied the renewal of the business and Cabaret License for business known as Hondurena Inc. doing business as El Pacifico Bar & Restaurant, 105-107 North Franklin Street, Hempstead, N.Y. 11550, pursuant to Section 86-5 of the Village Code.

WHEREAS, It has come to the Village's attention that Hondurena Inc. doing business as El Pacifico Bar & Restaurant conducting business at 105-107 North Franklin Street, Hempstead, N.Y. 11550, as a Restaurant & Tavern appeals the Village Clerk's denial pursuant section 86-10 of the Village of Hempstead Code.

THE VILLAGE CLERK

HEREBY SCHEDULES a public hearing to be held on the **15th** day of **June, 2021** at **6:00 p.m.** at Hempstead Village Hall, 99 James A. Garner Way, Hempstead, New York, to consider denial of renewing the Business License to **Hondurena Inc. doing business as El Pacifico Bar & Restaurant** by the Incorporated Village of Hempstead.

Moved by Boone
Seconded by Trustee Daniels

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

LANCE GADDIST

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation **Frank Germinaro, Director of Public Works**, that the Mayor and the Board of Trustees hereby appoint and/or approve the following to the position of

Laborer-PT for the Incorporated Village of Hempstead.

| Name | Department/Title/Grade | Base Salary |
|------------------------------------|-------------------------------|--------------------|
| Lance Gaddist <i>(New Hire)</i> | DPW- Sanitation Laborer-PT | \$14.91 hr upon |

Moved by Boone
Seconded by Trustee Griffith

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

CHRISTOPHER YANES

Clerks offers the following resolution for adoption:

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

| Name | Department/Title/Grade | Base Salary |
|--|---|----------------------------------|
| Christopher Yanes <i>(PT to FT)</i> | DPW- Sanitation Motor Equipment Operator Trainee <i>Grade 107/0 New</i> | \$54,337 yr. upon Approval |

Moved by Boone
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

RAHMEL MINOIR

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation **Frank Germinaro, Director of Public Works**, that Mayor and the Board of Trustees hereby appoint and/or approve the following to the position of Laborer-PT for the Incorporated Village of Hempstead.

| Name | Department/Title/Grade | Base Salary |
|---------------------------------------|---------------------------------|--------------------|
| Rhamel Minor <i>(Title Change)</i> | DPW- Sanitation Laborer – PT | \$14.91 hr upon |

Moved by Boone
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

**BOARD OF FIRE
COMMISSIONERS**

Clerks offers the following resolution for adoption:

RESOLVED, that upon the recommendation of **Waylyn Hobbs Jr, Mayor**, the Board of Trustees hereby approve the public hearing, which was held earlier today, to establish a Board of Fire Commissioners to oversee the Village of Hempstead Fire Department.

Moved by Boone
Seconded by Trustee Williams

AYES: Trustee Daniels, Williams, 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 **May 18, 2021** be approved as previously reviewed.

Moved by Daniels
Seconded by Trustee Boone

AYES: Trustee Daniels, Williams, 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 Williams moved to adjourn.

Seconded by Trustee Boone

AYES: Trustee Daniels, Williams, Griffith, Boone,
Mayor Hobbs
NOES: None

Deputy Village Clerk