

Hempstead, New York

September 1, 2020

**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**

Trustees Hobbs, Johnson, Renfroe, Daniels; Mayor Ryan

**Also Present:**

Cherice P. Vanderhall, Village Attorney  
Samantha Fountain, Deputy Village Clerk

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

**Departmental Head attended and read reports**

Hempstead Housing Authority – Chairman Shereen Goodson

Historian - Reine Bethany

**Reports submitted**

Personal Service Wireless Facilities Board – Zoning Officer Deloris Mc Queen

Board of Zoning Appeals – Chairman Danny Leo

Planning Board – Chairperson Kennetha Pettus

Community Development Agency – Commissioner Charlene Thompson

**ACCEPTANCE OF MINUTES**

Clerks offers the following resolution for adoption:

Moved by Trustee Johnson that the reading of the minutes of the **Special Meeting of August 18, 2020** be dispensed with and that they be accepted as reviewed.

Seconded by Trustee Hobbs

AYES: Trustee Johnson, Hobbs, Renfroe and Mayor Ryan

NOES: None

ABSTAINED: Daniels

**Report of the Village Justice – Month: **July 2020****

Total number of cases before the court 1,297

Total monies remitted to Village Comptroller \$187,511.00

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

**APPROVAL OF  
MISCELLANEOUS LICENSE  
AND PERMIT APPLICATIONS**

Clerk wishes to report that Mayor Ryan & Deputy Mayor Renfro have approved miscellaneous Business licenses as reviewed

**Business License for approval**

Seamless Auto LLC (New)  
189 N. Franklin St.

Rolling Thunder Cycles (Renewal)  
220 Front St.

Oficina Legal Salvadoreña (Renewal)  
236 Fulton Ave. Suite 202

Family Laundromat NY Inc. (Change of owner)  
84 Jackson St.

Five Gates LLC dba Subway (Renewal)  
400A Fulton Ave.

Socios Deli Inc. (Renewal)  
290 Greenwich St.

La Frontera Deli Inc. (Renewal)  
62 Nichols Ct.

Bellezas Latinas Beauty Salon (Renewal)  
512 Fulton Ave,

Encanto ST Barbershop Corp  
87 Clinton St.

Lucky DNY 81 Inc. (Renewal)  
81A Main St.

Carina Deli (New)  
462 Peninsula Blvd.

Dunamis Decorations Corp. (Renewal)  
389 Peninsula Blvd.

Rosy's Dominican Salon (New)  
149 Baldwin Rd.

K Auto Repair Shop (Renewal)  
445 Peninsula Blvd.

Nassau Stone Depot (Renewal)  
16 Front St.

HR Towing  
9 Neil Ct.  
Oceanside, NY 11572

**FULTON-FRANKLIN  
PARTNERS, LTD**

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. 400482/2020, in case entitled "In the Matter of Fulton-Franklin Partners, Ltd., 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, both retroactively and prospectively, for the 2010/11 through 2013/14 and 2015/16 through 2019/20 tax years, for real property tax purposes, for the premises described as Section 34, Block 298, Lot 1, known as 206-208-220 Fulton 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 Fulton-Franklin Partners, Ltd., owner of 206-208-220 Fulton Avenue, a total of \$57,500.00, to resolve the issue of the true tax assessment for the 2010/11 through 2013/14 and 2015/16 through 2019/20 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 Fulton-Franklin Partners, Ltd., owner of

206-208-220 Fulton Avenue, a total of \$57,500.00, to resolve the issue of the true tax assessment for the 2010/11 through 2013/14 and 2015/16 through 2019/20 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 Fulton-Franklin Partners, Ltd., for property known as 206-208-220 Fulton Avenue, Hempstead, New York 11550, for the tax years 2010/11 through 2013/14 and 2015/16 through 2019/20, 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 2020/21, 2021/22 and 2022/23 will be \$136,770.00 and that no protest will be filed by Fulton-Franklin Partners, Ltd., owner of property known as 206-208-220 Fulton Avenue, Hempstead, NY, for the tax years 2020/21, 2021/22 and 2022/23; 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 Daniels

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

**GARDEN CITY BORDER APTS., 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. 404531/17, in case entitled “In the Matter of The Application of Garden City Border Apts., LLC, Petitioner, against The Board of Assessors and/or the Assessor of the Village of Hempstead and the Board of Assessment Review, Respondents” to resolve the issue of the true assessment, retroactively for the 2014/15 through 2019/20 tax years, for real property tax purposes, for the premises described as Section 34, Block 173, Lot 006, known as 115 Atlantic 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 Garden City Border Apts., LLC, owner of 115 Atlantic Avenue, a total of \$2,500.00, to resolve the issue of the true tax assessment for 2014/15 through 2019/20 tax years, payable one lump sum payment within 120 days after receipt by the Village of the certified Order and Judgment that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to Garden City Border Apts., LLC, owner of 115 Atlantic Avenue, a total of \$2,500.00, to resolve the issue of the true tax assessment for 2014/15 through 2019/20 tax years, payable in one lump sum payment within 120 days after receipt by the Village of the certified Order and Judgment; and that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years; and

**BE IT FURTHER RESOLVED**, that, the proceedings pertaining for property known as 115 Atlantic Avenue, Hempstead, New York 11550, for the tax years 2014/15 through 2016/17, are hereby discontinued with prejudice; and

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of Garden City Border Apts., LLC, for property known as 115 Atlantic Avenue, Hempstead, New York 11550, for the tax years 2017/18 through 2019/20, shall be withdrawn without costs; 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 Renfro  
Seconded by Trustee Daniels

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

**9-17 ST PAUL ROAD 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. 404579/17, in case entitled "In the Matter of 9-17 St. Paul Road LLC (formerly Dorchester, LLC), Petitioner, against The Board of Assessors and/or The Assessor of the Village of Hempstead and The Board of Assessment Review, Respondents" to resolve the issue of the true assessment, retroactively for the 2014/15 through 2020/21 tax years, for real property tax purposes, for the premises described as Section 34, Block 324, Lots 425, known as 9-17 St. Paul's Road North, 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 9-17 St. Paul Road LLC (formerly Dorchester, LLC), owner of 9-17 St. Paul's Road North, a total of \$10,000.00, in one lump sum payment, to resolve the issue of the true tax assessment for the 2014/15 through 2020/21 tax

years, payable within 90 days after receipt by the Village of the certified Order and Judgment that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Trustees of the Incorporated Village of Hempstead, that the Village refund to 9-17 St. Paul Road LLC (formerly Dorchester, LLC), owner of 9-17 St. Paul's Road North, a total of \$10,000.00, in one lump sum payment, to resolve the issue of the true tax assessment for the 2014/15 through 2020/21 tax years, payable within 90 days after receipt by the Village of the certified Order and Judgment that effectuates this settlement with verified claim form and proof of payment of taxes for all tax years; and

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

**BE IT FURTHER RESOLVED**, that, upon payment of the total refund, the certiorari tax proceedings brought on behalf of 9-17 St. Paul Road LLC (formerly Dorchester, LLC), owner of 9-17 St. Paul's Road North, Hempstead, New York 11550, for the tax years 2014/15 through 2020/21, shall be withdrawn without costs; 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

**LICENSE PLATE READERS  
(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 for the purchase and installation of license plate readers and related equipment (project ID; #23992) in the amount of **\$319,199.00**.

**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 § 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 Daniels  
Seconded by Trustee Renfroe

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

#### **SECURITY CAMERA SYSTEM (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 for the purchase and installation of license plate readers and related equipment (project ID; #21616) in the amount of **\$613,617.20**.

**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.

**WHEREFORE** the Village Board recognizes 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 Daniels  
Seconded by Trustee Hobbs

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

#### **MILLIMAN INC.**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Joe Gill, Village Treasurer** that the Board of Trustees hereby approves to enter into an agreement with Milliman, Inc. One Pennsylvania Plaza, 38<sup>th</sup> Floor, New York, NY 10119 to provide actuarial consulting services to the Incorporated Village of Hempstead for a fee not to exceed \$15,000.00 for the fiscal year ending May 31, 2021.

Moved by Trustee Daniels  
Seconded by Trustee Hobbs

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

#### **TECHNOLOGY SOLUTIONS**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Joe Gill, Village Treasurer** that the Board of Trustees hereby approves to amend the agreement between Technology Solutions (“Total”) and Village of Hempstead

Moved by Trustee Daniels  
Seconded by Trustee Renfroe

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

#### **MILLENNIUM TOYOTA**

Clerks offers the following resolution for adoption:

**RESOLVED** that upon the recommendation of **Cherice Vanderhall, Village Attorney** that the Board of Trustees hereby approves to enter into an agreement with Millennium Toyota, 257 N. Franklin St., Hempstead, New York, 11550, to utilize one hundred and seventy one (171) parking spaces, all which are located in Municipal Parking Field #11B from June 1, 2020 through May 31, 2021.

Moved by Trustee Renfroe  
Seconded by Trustee Hobbs

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

#### **LONG ISLAND FQHC**

Clerks offers the following resolution for adoption:

**RESOLVED** that upon the recommendation of **Cherice Vanderhall, Village Attorney** that the Board of Trustees hereby approves to enter into an agreement with Long Island FQHC Inc., 250 Fulton Ave. Suite 608, Hempstead, New York, 11550, to utilize fifteen (15) parking spaces, all which are located in Municipal Parking Field #4 from June 1, 2020 through May 31, 2021.

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

#### **SACRED HEART ACADEMY**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Joseph Simone, Superintendent Building Department**, the Board of Trustees hereby authorizes Sacred Heart Academy to erect a tent (Village Code, Section 50-28, Paragraph A-2) on the school grounds from September 2020 through November 2020. These tents will assist the school in spacing for various educational purposes due to COVID-19.

Moved by Trustee Hobbs  
Seconded by Trustee Daniels

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

**PUBLIC HEARING  
SCHEDULING**

Clerks offers the following resolution for adoption:

**RESOLVED** that upon the recommendation of **Kevin S. Colgan, Assistant Chief of Police** that the Board of Trustees hereby approves to schedule a public hearing on **October 6, 2020 @ 6:15 pm** to consider a United States Department of Justice, Justice Assistance Grant for Safety, Training and Technology Upgrades for the Hempstead Police department.

Moved by Trustee Renfroe  
Seconded by Trustee Hobbs

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

**JANET L. BROWN**

Clerks offers the following resolution for adoption:

**RESOLVED**, upon the recommendation of Cherice Vanderhall, Village Attorney that the Board of Trustees hereby approves to appoint Janet L. Brown as a Special Prosecutor at the per diem rate of \$45 per hour.

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

**SAMANTHA FOUNTAIN  
REGISTRAR**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation of **Don Ryan, Mayor** that the Board of Trustees hereby approves to appoint Samantha Fountain as Registrar of Vital records commencing Monday, August 31, 2020 and be paid a monthly amount of \$100.00, to discharge her responsibility as Registrar to issue death certificates during off hours and on weekends.

Moved by Trustee Hobbs  
Seconded by Trustee Johnson

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

**JUANITA HARGWOOD  
DEPUTY REGISTRAR**

Clerks offers the following resolution for adoption:



**RESOLVED**, that upon the recommendation of **Don Ryan, Mayor** that the Board of Trustees hereby approves to appoint Juanita Hargwood as Deputy Registrar of Vital records commencing Monday, August 31, 2020 and be paid a monthly amount of \$100.00, to discharge her responsibility as Deputy Registrar to issue death certificates during off hours and on weekends.

Moved by Trustee Johnson  
Seconded by Trustee Hobbs

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

**HARTLEY HONEGHAN**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **Kevin S. Colgan, Assistant Chief of Police**, that the Board of Trustees hereby appoint and/or approves for Hartley Honeghan, Inc. Village of Hempstead Police Department employee to receive supplemental sick leave at half pay in accordance with Village Policy Article VII, Section 5 of the CSEA Bargaining Agreement.

Moved by Trustee Hobbs  
Seconded by Trustee Daniels

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

**JOSE JIMENEZ CABRERA**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **Ron Martin, General Supervisor, Sanitation & Recycling**, that the Board of Trustees hereby appoint and/or approves the following appointment to the position of Laborer-PT, for the Incorporated Village of Hempstead

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Jose Jimenez Cabrera <i>(New Hire)</i>	DPW-Sanitation Laborer-PT	\$14.91 hr effective upon CS approval

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

**ELIAZAR VELAQUEZ**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **Ron Martin, General Supervisor, Sanitation & Recycling**, that the Board of Trustees hereby appoint

and/or approves the following appointment to the position of Laborer-PT, for the Incorporated Village of Hempstead

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Eliazar Velasquez <i>(New Hire)</i>	DPW-Sanitation Laborer-PT	\$14.91 hr effective upon CS approval

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

### **TOM RYAN**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **Lael Von Elm, Superintendent of Fire Alarm**, that the Board of Trustees hereby appoint and/or approves the following Salary Increase to the position of Senior Maintainer, for the Incorporated Village of Hempstead

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Tom Ryan <i>(Salary Increase)</i>	Fire Alarm- Senior Maintainer Grade 21/5 old	\$97,236. effective upon CS approval

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

### **CHRISTOPHER SARDUY**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **George Sandas, Superintendent of Parks and Recreation**, that the Board of Trustees hereby appoint and/or approves the following Salary Increase for the position of MEO, for the Incorporated Village of Hempstead

<b>Name</b>	<b>Department/Title/Grade</b>	<b>Base Salary</b>
Christopher Sarduy <i>(Salary Increase)</i>	Parks & Recreation/MEO Grade 108/6 new	\$65,318 effective upon CS approval

Moved by Trustee Johnson  
Seconded by Trustee Daniels

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

**EXECUTIVE SESSION**

Clerks offers the following resolution for adoption:

The Village Attorney would like to enter into an executive session at September 1, 2020 Board of Trustees' meeting regarding pending litigation.

Time in 8:20 pm

Moved by Trustee Johnson  
Seconded by Trustee Daniels

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

Moved by Trustee Hobbs to come out of Executive Session  
Seconded by Trustee Renfroe

Time out 8:43 pm

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

**EXECUTIVE SESSION APPROVAL**

Clerks offers the following resolution for adoption:

The Board wish to approve matter that was discussed in Executive Session.

Moved by Trustee Hobbs  
Seconded by Trustee Renfroe

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

**JOE ROGERS**

Clerks offers the following resolution for adoption:

**RESOLVED**, that upon the recommendation **Frank Germinaro, Director Public Works**, that the Board of Trustees hereby appoint and/or approves the following Salary Increase for the position of Water & Sewer Servicer, for the Incorporated Village of Hempstead

Name	Department/Title/Grade	Base Salary
Joe Rogers (Salary Increase)	Water & Sewer Servicer Grade 108/3 old	\$67,714 effective upon CS approval

Moved by Trustee Hobbs  
Seconded by Trustee Johnson

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

**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 **September 1, 2020** be approved as previously reviewed.

Moved by Trustee Hobbs  
Seconded by Trustee Daniels

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

**MEETING ADJOURNED**

Clerks offers the following resolution for adoption

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

Seconded by Trustee Daniels

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

---

Deputy Village Clerk