

August 11, 2015

NOTICE OF MEETING

Notice is hereby given that the Village of Spring Valley will meet in the Village Hall, Senator Gene Levy Municipal Plaza, 200 North Main Street, Spring Valley, New York on Tuesday, August 11, 2015 at 7:00 pm.

Respectfully Submitted
Village Clerk's Office

Dated: Spring Valley, New York
July 29, 2015

**BOARD OF TRUSTEES
SPRING VALLEY, NEW YORK**

The Board of Trustees of the Village of Spring Valley convened in regular session pursuant to adjournment of the Meeting of July 28, 2015 meeting.

A Roll Call being taken, the following were present and answered to their names:

Demeza Delhomme	Mayor
Anthony Leon	Deputy Mayor (Arrived at 8:09 P.M.)
Vilair Fonvil	Trustee
Asher Grossman	Trustee
Emilia White	Trustee (Absent)
Feerick Lynch MacCartney	Special Counsel
Herby Jean-Charles	Deputy Village Clerk

The pledge of allegiance was led by Trustee Grossman

Mayor's Report *No report*

Referral No. 2059

**RESOLUTION NO. 409 OF 2015
OPEN PUBLIC PARTICIPTION**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil and unanimously adopted:

WHEREAS: the public participation portion of the meeting is opened; now, therefore, it is hereby

RESOLVED, that the following person(s) appeared to address the Board and participate in this portion of the meeting.

Referral No. 2037

**RESOLUTION NO 410 OF 2015
CLOSE PUBLIC PARTICIPATION**

Trustee Fonvil offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Board of Trustees closed the public participation portion of the meeting; now, therefore, it is hereby

RESOLVED, that the public participation portion of the meeting is hereby closed.

The next item on the agenda, Approval to appoint Manuel Carmona provisionally to Deputy Building Inspector, Full Time, at an hourly rate of \$29.92 subject to Rockland County Personnel approval; **failed.**

The next item on the agenda, Approval to appoint Robert Johnson provisionally to the position of Full-Time Superintendent of Public Works at \$64,945 as per United Federation of Police Officer contract pending Rockland County approval; **failed.**

The next item on the agenda, Approval to appoint Bryant Saunders to the position of Housing Administrator I, Full-Time, at a yearly salary of \$64,945.00 pending approval from Rockland County Personnel; **failed.**

The next item on the agenda Approval to appoint Patrice Desir to the position of Recreation Facility Supervisor, Full-Time, within the Parks and Recreation Department, at a yearly salary of \$45,000; **failed.**

The next item on the agenda Approval to appoint Nancy M. Guirand to the position of Community Center Coordinator(French/Creole Speaking), full-time, at a yearly salary of \$72,000 provisionally pending the Approval from Rockland County Personnel.; **failed.**

Referral No. 2050

**RESOLUTION NO. 411 OF 2015
OPEN THE PUBLIC HEARING
TO CONSIDER WHETHER TO ISSUE A SPECIAL PERMIT TO LEVY TOWERS
TO ALLOW THE CONSTRUCTION AND MAINTENANCE
OF A 124 NEW MULTI-FAMILY DWELLING UNITS ABOVE EXISTING RETAIL SPACE**

Trustee Fonvil offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Board of Trustees wishes to hear speakers in regards to a Public Hearing to grant a special permit to Levy Towers; and now, therefore, it is hereby

RESOLVED, that the public hearing to consider whether to issue a Special Permit Levy Towers to allow the construction and maintenance of a 124 new multi-family dwelling units above an existing retail shopping center. Mixed-uses are allowed by special permit of the Village Board under § 255-28.K. The Property is located at 208-240 N. Main Street on the south side of Sneden Place approximately, 325 feet east of Route 45 in the Village of Spring, County of Rockland, and is designated on the Town of Ramapo tax map as Section 50.72, block 1, lot 6.1, and Section 50.80, block 1, lot 49; is hereby opened.

Referral No. 2050

**RESOLUTION NO. 412 OF 2015
CLOSE THE PUBLIC HEARING
TO CONSIDER WHETHER TO ISSUE A SPECIAL PERMIT TO LEVY TOWERS
TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF
A 124 NEW MULTI-FAMILY DWELLING UNITS ABOVE EXISTING RETAIL SPACE**

Trustee Fonvil offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, there were no other speakers for the Public Hearing; and now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby closed the Public Hearing regarding whether to issue a Special Permit to Levy Towers to allow the construction and maintenance of a 124 new multi-family dwelling units above an existing retail shopping center. Mixed-uses are allowed by special permit of the Village Board under § 255-28.K. The Property is located at 208-240 N. Main Street on the south side of Sneden Place approximately, 325 feet east of Route 45 in the Village of Spring, County of Rockland, and is designated on the Town of Ramapo tax map as Section 50.72, block 1, lot 6.1, and Section 50.80, block 1, lot 49, is hereby closed.

**RESOLUTION NO. 413 OF 2015
APPROVAL TO POSTPONE DETERMINATION
TO CONSIDER WHETHER TO ISSUE A SPECIAL PERMIT TO LEVY TOWERS
TO ALLOW THE CONSTRUCTION AND MAINTENANCE OF
A 124 NEW MULTI-FAMILY DWELLING UNITS ABOVE EXISTING RETAIL SPACE**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

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WHEREAS, there was a request from the Village Board of Trustees to postpone determination whether to grant a special permit to Levy Towers to allow the construction and maintenance of a 124 new multi-family dwelling units above an existing retail shopping center to the August 25, 2015 Village Board Meeting; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees postponed determination whether to grant a special permit to Levy Towers to allow the construction and maintenance of a 124 new multi-family dwelling units above an existing retail shopping center to the August 25, 2015 Village Board Meeting.

The next item on the agenda Approval to authorize the purchase of police vehicles, in and for the Village of Spring Valley, Rockland County, New York, at a maximum estimated cost of \$200,000.00 and authorizing the issuance of \$200,000.00 serial bonds of said Village to pay the cost thereof; **failed**.

The next Item on the agenda, Approval to authorize the issuance of not exceeding \$1,800,000.00 bonds of the Village of Spring Valley, Rockland County, New York, to pay the cost of certain judgments or settled claims resulting from court orders on proceedings brought pursuant to Article 7 of the Real Property tax law. **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, Approval subject to permissive referendum, authorizing the reconstruction of roads throughout and in and for the Village of Spring Valley, Rockland County, New York, at a maximum estimated cost of \$3,000,000.00 and authorizing the issuance of \$3,000,000.00 bonds of said Village to pay the cost thereof. **Was postponed** to the next Village Board Meeting.

Referral No. 2030

**RESOLUTION NO. 414 OF 2015
REQUEST TO PAY INVOICE NUMBER 32338
TO FEERICK LYNCH, MACCARTNEY, PLLC
FOR LEGAL SERVICES RENDERED**

Deputy Mayor Leon offered the following resolution, which was seconded by Mayor Delhomme and unanimously adopted:

WHEREAS, the Legal Department requests approval to pay invoice number 32338 to Feerick Lynch MacCartney PLLC for legal services rendered to the Village of Spring Valley in the amount of \$6,524.42;

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees, now, therefore, it is hereby

RESOLVED, that the request to pay invoice number 32338 to Feerick Lynch MacCartney in the amount of \$6,524.42. is hereby approved.

The next item on the agenda Amendment to agenda item 7e, Pursuant to the court order to make a \$3,000 payment to the account with all rights reserved to the balance; **failed**.

The next item on the agenda Approval to pay the invoice and statement of the Law Offices of David Fried, PC for legal services rendered to the Village of Spring Valley in the amount of \$15,589.00; **failed**.

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**RESOLUTION NO. 415 OF 2015
APPROVAL OF THE RESOLUTION TO
AUTHORIZE SPECIAL COUNSEL FERRICK LYNCH AND MACCARTNEY PLLC
TO SETTLE A CLAIM AGAINST THE VILLAGE OF SPRING
FOR DAMAGE DONE TO A DOOR AT 18 YALE DRIVE**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, there was a request to authorize Special Counsel Ferrick, Lynch and MacCartney PLLC to settle a claim against the Village of Spring Valley for damages to a door located at 18 Yale Drive, Spring Valley, New York 10977; and

WHEREAS, the settlement amount is not to exceed the amount of \$660.00 for the cost of repairs; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees, now, therefore, it is hereby

RESOLVED, that the Village Board hereby authorize Special Counsel for the Village Ferrick, Lynch and MacCartney PLLC to settle a claim against the Village of Spring Valley for damages to a door located at 18 Yale Drive, Spring Valley, New York 10977, in the amount not to exceed \$660.00.

**RESOLUTION NO. 416 OF 2015
APPROVAL OF THE RESOLUTION TO
TO ALLOW MARTINE NARCISSE, SENIOR ACCOUNT CLERK
TO ATTEND A ONE DAY NEW YORK STATE
RETIREMENT SYSTEM EDUCATION SEMINAR**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Treasurer has requested authorization to allow Martine Narcisse, Senior Account Clerk, of Payroll & Benefits to attend a one day NYS Retirement System Employer Education Seminar at no cost to the Village with the exception of traveling expenses being reimbursed upon receipts being submitted ; and

WHEREAS, the seminar will be held on Thursday, September 3, 2015 from 9:00am-3:30pm at Haindi Recreation Park Fieldhouse, Eastchester, New York; and

WHEREAS, such request requires the approval of the Village of Spring Valley Board of Trustees, now, therefore, it is hereby

RESOLVED, that the Village Board hereby grants authorization to the Village Treasurer to allow Martine Narcisse, Senior Account Clerk, of Payroll & Benefits to attend a one day NYS Retirement System Employer Education Seminar at no cost to the Village the exception of traveling expenses being reimbursed upon receipts being submitted, on Thursday, September 3, 2015 from 9:00am-3:30pm at Haindi Recreation Park Fieldhouse, Eastchester, New York.

Referral No. 2030

**RESOLUTION NO. 417 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(APPROVAL OF ABSTRACTS)**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2015/2016 budget; and

WHEREAS, Mayor Delhomme and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

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WHEREAS, such payments require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

APPROVAL OF ABSTRACTS

DATE: August 11, 2015

GENERAL ABSTRACT #2015/10

Amount \$541,943.54 Claim #56035049 thru #56035188

Referral No. 2030

**RESOLUTION NO. 418 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(POST AUDIT ABSTRACTS)**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2015/2016 budget; and

WHEREAS, Mayor Demeza Delhomme and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

WHEREAS, such payments require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

APPROVAL OF POST AUDIT GENERAL ABSTRACTS

DATE: August 11, 2015

POST AUDITED GENERAL ABSTRACT #2015/5

Amount \$508,813.00 Claim #56034739 thru #56035182

APPROVAL OF POST AUDIT SPRING VALLEY DAY ABSTRACTS

DATE: August 11, 2015

POST SPRING VALLEY DAY ABSTRACT #SVD2014/2

Amount \$4,053.45 Claim #56035045 thru #56035185

**RESOLUTION NO. 419 OF 2015
APPROVAL OF THE RESOLUTION TO ACCEPT THE
SECTION 8 HOUSING AUTHORITY ANNUAL AGENCY PLAN**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Fonvil and unanimously adopted:

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WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the adoption of Section 8 Annual Agency Plan submission to U.S. Department of Housing and Urban Development for Fiscal Year beginning July 1, 2015; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the adoption of the Section 8 Annual Agency Plan submission to U.S. Department of Housing and Urban Development for Fiscal Year beginning July 1, 2015 and authorization for the Mayor to sign the HUD Certifications .

Referral No. 2030

**RESOLUTION NO. 420 OF 2015
APPROVAL OF
SECTION 8 ABSTRACT # 594**

Trustee Fonvil offered the following resolution, which was seconded by Deputy Mayor Leon and unanimously adopted:

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley of 2015 adopted budget; and

WHEREAS, Mayor Demeza Delhomme and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

WHEREAS, such payments requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorize the Treasurer of the Village of Spring Valley to pay such bills.

<u>SECTION 8 PROGRAM</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
5295	Intermedia, Inv. #1508002936	\$165.00
5296	Intermedia, Inv. #1507002909 & 1508002914	\$229.88
5297	Optimum, 7/22 – 8/21	\$189.70
5298	Ever Bank, Inv. # 3273011	\$364.23
5299	Journal News.AD # 509905	\$104.00
Total Section 8 Program Abstract for Village Board Approval		\$948.81

Referral No. 2032

**RESOLUTION NO. 421 OF 2015
APPROVAL TO REFUND
IGLESIA PENTECOSTAL (RIOS DE AGUA VIVA)
FOR THE SECURITY DEPOSIT FOR USE OF
MEMORIAL PARK ON JULY 25, 2015**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Clerk's Office has requested a refund for Iglesia Pentecostal (Rios de Agua Viva) Church their \$500.00 security deposit for a religious event held at Memorial Park on July 25, 2015; and

WHEREAS, it is necessary for the Village of Spring Valley, Board of Trustees to approve the refund; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Village Clerk's Office to refund Iglesia Pentecostal (Rios de Agua Viva) Church their \$500.00 security deposit for a religious event held at Memorial Park on July 25, 2015.

**RESOLUTION NO. 422 OF 2015
APPROVAL TO REFUND
IGLESIA PENTECOSTAL (RIOS DE AGUA VIVA)
FOR THE SECURITY DEPOSIT FOR USE OF
SHOW MOBILE ON JULY 25, 2015**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Clerk’s Office has requested a refund for Iglesia Pentecostal (Rios de Agua Viva) Church their \$1000.00 security deposit for use of the show mobile for a religious event held at Memorial Park on July 25, 2015; and

WHEREAS, it is necessary for the Village of Spring Valley, Board of Trustees to approve the refund; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Village Clerk’s Office to refund Iglesia Pentecostal (Rios de Agua Viva) Church their \$1000.00 security deposit for use of the show mobile for a religious event held at Memorial Park on July 25, 2015

**RESOLUTION NO. 423 OF 2015
APPROVAL OF THE REQUEST FROM THE
VILLAGE ASSESSOR TO GRANT 29 YALE DRIVE
A 100% TAX EXEMPTION AS A NON- PROFIT ORGANIZATION**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the Village Assessor has requested the 29 Yale Drive be granted a100% tax exemption as a non- profit organization based upon financial documentation supplied by the owner to the Village Assessor; and

WHEREAS, it is necessary for the Village of Spring Valley, Board of Trustees to approve the request from the Village Assessor; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Village Assessor to grant 29 Yale Drive granted a100% tax exemption as a non- profit organization based upon financial documentation supplied by the owner to the Village Assessor.

**RESOLUTION NO. 424 OF 2015
APPROVAL OF TIME SHEETS
FOR THE SUMMER FEEDING PROGRAM**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, Community Development requests approval of signed vouchers and time sheets for the time period of July to August in the amount of \$29,728.02 for the Summer Feeding Program; and

WHEREAS, this request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, the request for approval of signed vouchers and time sheets for the time period of July to August in the amount of \$29,728.02 for the Summer Feeding Program is approved.

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Trustee reports

Youth and Recreation- Trustee White – Absent.

Fire and Safety- Trustee Grossman- *Sgt. Costain is here from the Police Department and he is going to present his report from the Police Department, as part of fire and safety. Sgt. Costain presented his report from the Police Department to the Board of Trustees and the community.*

Infrastructure-Deputy Mayor Leon- *No report.*

Economic Development/Community Development- Trustee Fonvil- *No report.*

Referral No. 2034

**RESOLUTION NO. 425 OF 2015
APPROVAL TO ENTER INTO THE INTER- MUNICIPAL AGREEMENT BETWEEN
THE COUNTY OF ROCKLAND AND THE VILLAGE OF SPRING VALLEY
FOR REIMBURSEMENT TO THE POLICE DEPARTMENT
FOR LAW ENFORCEMENT PURPOSES**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, the County of Rockland has requested to enter into an inter-municipal agreement with the Village of Spring Valley, for the reimbursement to the Police department for law enforcement purposes in conjunction to support the Regional Investigative Resource Center Cases, and

WHEREAS, this request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approves the request from the County of Rockland to enter into an inter-municipal agreement with the Village of Spring Valley, for the reimbursement to the Police department for law enforcement purposes in conjunction to support the Regional Investigative Resource Center Cases, and authorization for the Mayor to sign said agreement.

Referral No. 3038

**RESOLUTION NO. 426 OF 2015
APPROVAL TO AMEND
RESOLUTION NO. 265 OF 2015**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil and unanimously adopted:

WHEREAS, There was a previous request from the Building Department to send Jackenton Lavalasse, Frank Youngman and Raymond Guarnuccio to the NYS Fire Marshals and Inspectors Association Educational Conference for the completion of their 2015 24hours NYS In-Service Training. From September 1, 2015 through September 4, 2015 at a cost of \$1,374.00 to the Village for training, tolls, gas, and meals; and

WHEREAS, there was an error made on the calculation of the total price to send the three inspectors to the training; and

WHEREAS, The error was corrected and now should read request to send Jackenton Lavalasse, Frank Youngman and Raymond Guarnuccio to the NYS Fire Marshals and Inspectors Association Educational Conference for the completion of their 2015 24hours NYS In-Service Training, from September 1st thru September 4th, 2015 at Liverpool, NY at a total amount of \$2,022.00 which includes lodging, the conference fees, tolls, gas meals and other related expenses. The Village vehicle will be used to travel. The previous hotel stay approval was calculated in error for only one person the difference of the amount comes out to \$972.00; and

WHEREAS, this request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approves the request from the Building Department to amend Resolution No. 265 of 2015 to now read approval to send Jackenton Lavalasse, Frank Youngman and Raymond Guarnuccio to the NYS Fire Marshals and Inspectors Association Educational Conference for the completion of their 2015 24hours NYS In-Service Training, from September 1st thru September 4th, 2015 at Liverpool, NY at a total amount of \$2,022.00 which includes lodging, the conference fees, tolls, gas meals and other related expenses. The Village vehicle will be used to travel. The previous hotel stay approval was calculated in error for only one person the difference of the amount comes out to \$972.00

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**RESOLUTION NO. 427 OF 2015
TO APPROVE THE SETTLEMENT AGREEMENT
IN REGARDS TO THE 64 NORTH COLE LITIGATION**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, there was a motion made to approve the settlement of the 64 North Cole Avenue Litigation to allow and grant ZBA variances, and the petitioner withdraws with prejudice any claims against the Village for attorney fees or court costs.

WHEREAS, this request requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approves the motion to enter into the settlement agreement of the 64 North Cole Avenue Litigation to allow and grant ZBA variances, and the petitioner withdraws with prejudice any claims against the Village for attorney fees or court costs.

The next Item on the agenda, motion to correct the property assessment of 83 North Cole Avenue, Section 57.29-1-2.-1 from \$30,000 to \$15,000 for the tax year 2015 due to clerical error. **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, motion to correct the property assessment of 74 North Cole Avenue, Section 57.29-1-32.-2 from \$33,000 to \$12,000 for the tax year 2015 due to clerical error. **Was postponed** to the next Village Board Meeting.

Referral No. 3044

**RESOLUTION NO. 428 OF 2015
ADJOURNMENT**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman and unanimously adopted:

WHEREAS, there were no further discussions to be heard; now, therefore, it is hereby

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, August 25, 2015 at seven o'clock in the evening.

Respectfully submitted

Village Clerk's Office