

June 23, 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, June 23, 2015 at 7:00 pm.

Respectfully Submitted
Village Clerk's Office

Dated: Spring Valley, New York
June 10, 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 Regular Meeting of June 9, 2015 meeting.

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

Demeza Delhomme	Mayor (Absent)
Anthony Leon	Deputy Mayor (Presiding)
Vilair Fonvil	Trustee
Asher Grossman	Trustee
Emilia White	Trustee
Feerick Lynch MacCartney	Special Counsel
Herby Jean-Charles	Deputy Village Clerk

The pledge of allegiance was led by Deputy Mayor Leon

Mayor's Report *No report*

Referral No. 2059

**RESOLUTION NO. 303 OF 2015
OPEN PUBLIC PARTICIPTION**

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

WHEREAS: the public participation portion of the meeting is opened; and, 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 304 OF 2015
CLOSE PUBLIC PARTICIPATION**

Trustee White 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 Yvet Coriolan to the position of Grounds Worker, Fulltime at an hourly rate of \$17.16 per hour; **failed**.

**RESOLUTION NO. 305 OF 2015
ACCEPT FIRE DEPARTMENT MEMBERSHIP REPORT
DATED: JUNE 1, 2015**

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

WHEREAS, the Mayor of the Village of Spring Valley accepts the Spring Valley Fire Department Membership Report dated June 1, 2015 ; and

WHEREAS, such acceptance 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 accepts the Spring Valley Fire Department Membership Report dated June 1, 2015 as follows:

- Darren Jean..... Accepted.....Spring Valley Hook & Ladder
- Anthony Capioppo..... Resigned.....Rockland Hook & Ladder Co.
- Nicole Marzec.....Resigned.....Rockland Hook & Ladder Co.

The next Item on the agenda, Approval to renew the agreement between Kauker & Kauker, LLC and the Village of Spring Valley to retain Kauker & Kauker, LLC for planning advisory consulting services to provide professional planning consultant services for a one year term (June 1, 2015 thru May 31, 2016) and authorize the Mayor to sign said agreement. **Was postponed** to the next Village Board Meeting.

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 \$5,375.00. **Was postponed** to the next Village Board Meeting.

Referral No. 2077

**RESOLUTION NO. 306 OF 2015
APPROVAL TO ACCEPT THE RENEWAL OF A
THREE YEAR TRAVELERS FIDELITY BOND
FOR JUNE 1, 2015 IN THE AMOUNT OF
\$1,602.00 ANNUALLY**

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

WHEREAS, the Binder Agency requests the approval of the Renewal of the three year Travelers Fidelity Bond in the amount of \$1,602.00 annually; and

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

RESOLVED, the Village Board of Trustees hereby approves the request to approve the Renewal of the three year Travelers Fidelity Bond in the amount of \$1,602.00 annually.

Referral No. 3069

**RESOLUTION NO. 307 OF 2015
MOTION TO SUSPEND THE RULES TO MOVE
AGENDA ITEM 6D TO THE END OF THE MEETING**

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

WHEREAS, there was a motion made to suspend the rules to move agenda item 6d to the end of the meeting; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules and move agenda item 6d to the end of the meeting.

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The next Item on the agenda, Approve the request from Chief Modica to grant the tuition reimbursement of two police officers totaling \$10,000.00 as per P.B.A. contract for the fiscal year 2014/2015 and approve the tuition reimbursement of one Lieutenant totaling \$3,000.00 as per S.O.A. (Supervisor Officer Association) contract for the fiscal year of 2014/2015. All courses were pre-approved by Chief Modica. **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, Approve the request from Lieutenant Oleszczuk to approve to use Visitrak for street camera repair estimates for two street cameras, one camera on Ewing Ave and another on Maple Ave. If Visitrak provides a proposal that is accepted for the two cameras, there will be no charge for the estimate, otherwise, the cost of the estimate will be \$250.00 per hour not to exceed 8 hours. **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, Approve the resignation of Garizaldo Roxas, Associate Justice Court Clerk, effective June 5, 2015; **failed.**

Referral No. 3069

**RESOLUTION NO. 308 OF 2015
MOTION TO SUSPEND THE RULES TO MOVE
AGENDA ITEMS 9A AND 9B TO THE END OF THE MEETING**

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

WHEREAS, there was a motion made to suspend the rules to move agenda items 9a and 9b to the end of the meeting; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules and move agenda items 9a and 9b to the end of the meeting.

Referral No. 2030

**RESOLUTION NO. 309 OF 2015
APPROVAL OF
SECTION 8 ABSTRACT # 593**

Trustee Fonvil offered the following resolution, which was seconded by Trustee White 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>
5282	Intermedia, Inv. #1506002506	\$166.25
5283	Intermedia, Inv. #1506002486	\$114.94
5284	Tenant Tracker, Inv. #418236	\$20.00
5285	The Nelrod Consortium, Payment # 188	\$199.00
5286	Cornerstone Inv #3576306	\$44.13
5287	Rackmount Solutions, Inv. #150110615	\$205.90
Total Section 8 Program Abstract for Village Board Approval		\$750.22

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Referral No. 2064

**RESOLUTION NO. 310 OF 2015
APPROVAL OF TIME SHEETS
FOR THE SUMMER FEEDING PROGRAM**

Trustee White 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 6/9/15 to 6/19/15 for 27.50 hours in the amount of \$687.50 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 6/9/15 to 6/19/15 for 27.50 hours in the amount of \$687.50 for the Summer Feeding Program is approved.

Referral No. 2030

**RESOLUTION NO. 311 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(APPROVAL OF ABSTRACTS)**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil and 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; 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

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: June 23, 2015

GENERAL ABSTRACT #2015/4

Amount \$124,412.87 Claim #56034640 thru #56034725

Excluding voucher numbers 56034640 and 56034641

Referral No. 2030

**RESOLUTION NO. 312 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(POST AUDIT ABSTRACTS)**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil and 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; 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

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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: June 23, 2015

POST AUDITED GENERAL ABSTRACT #2015/2

Amount \$1,134,384.77 Claim #56034631 thru #56034718

APPROVAL OF POST AUDIT CAPITAL ABSTRACTS

DATE: June 23, 2015

POST AUDITED CAPITAL ABSTRACT #2015/C2

Amount \$13,186.33 Claim #56034631 thru #56034718

The next Item on the agenda, Approval to pay the 2015 U.S. Conference of Mayors membership (voucher number 56034560) in the total amount of \$3,489.00; **failed.**

Trustee reports

Youth and Recreation- Trustee White – Trustee White stated that she can provide a report once the summer camp is in place.

Fire and Safety- Trustee Grossman- *No report.*

Infrastructure-Deputy Mayor Leon- *No report.*

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

The next Item on the agenda, Approval to accept the Bid submitted by Martin Luther King Multipurpose Center for the 2015 Summer Program and/or the Afterschool program for 73 children; **failed.**

The next Item on the agenda, approval to accept the Bid submitted by Martin Luther King Multipurpose Center for the 2015 Summer Program and/or the Afterschool program for 120 children: was not voted on due to agenda item 15a failing.

Referral No. 3069

**RESOLUTION NO. 313 OF 2015
MOTION TO SUSPEND THE RULES TO GO BACK TO
AGENDA ITEMS 6D, 9A and 9B ON THE AGENDA**

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

WHEREAS, there was a motion made to suspend the rules to go back to agenda items 6d, 9a and 9b on the agenda; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules to go back to agenda items 6d, 9a and 9b on the agenda.

**RESOLUTION NO. 314 OF 2015
MOTION TO GO INTO EXECUTIVE SESSION
TO DISCUSS PENDING CONTRACT AWARDS AND LITIGATIONS**

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

WHEREAS, there was a motion made to go into Executive Session to discuss pending contract awards and litigations; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to go into Executive Session to discuss pending contract awards and litigations.

Referral No. 3071

**RESOLUTION NO. 315 OF 2015
MOTION TO CLOSE EXECUTIVE SESSION
AND RESUME THE REGULAR MEETING**

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

WHEREAS, there was a motion made to close Executive Session and resume the regular meeting; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to close Executive Session and resume the regular meeting.

Referral No. 2077

**RESOLUTION NO. 316 OF 2015
APPROVAL TO ACCEPT THE
ANNUAL RENEWAL PREMIUMS FOR NYMIR AND ALLIANCE
IN THE AMOUNT OF \$2,122,361.05
FOR THE TIME PERIOD OF JUNE 30, 2015 THROUGH JUNE 30, 2016**

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

WHEREAS, the request for the approval to accept the annual renewal premiums for NYMIR and Alliance in the amount of \$2,122,361.05 for the time period of June 30, 2015 through June 30, 2016 was made; and

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

RESOLVED, the Village Board of Trustees hereby approves the request to accept the annual renewal premiums for NYMIR and Alliance in the amount of \$2,122,361.05 for the time period of June 30, 2015 through June 30, 2016.

**RESOLUTION NO. 317 OF 2015
AUTHORIZING SPECIAL COUNSEL TO DISCUSS AND NEGOTIATE
ON BEHALF OF THE VILLAGE BOARD WITH THE BROKER
ON A POLICY FEE NOT TO EXCEED 10 % OF THE
WORKERS COMPENSATION PREMIUM**

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

WHEREAS, the request to authorize Special Counsel, Dennis Lynch to negotiate on behalf of the Village Board with the Broker on a policy fee not to exceed 10% of the Workers Compensation Premium was made; and

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

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RESOLVED, the Village Board of Trustees hereby approves the requests to authorize Special Counsel, Dennis Lynch to negotiate on behalf of the Village Board with the Broker on a policy fee not to exceed 10% of the Workers Compensation Premium.

**RESOLUTION NO. 318 OF 2015
AUTHORIZING SPECIAL COUNSEL FOR
AN EXCHANGE OF INFORMATION ON THE
TRADE FIXTURE EMINENT DOMAIN PROCEEDINGS**

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

WHEREAS, the Village of Spring Valley Board of Trustees (“Village Board”) is currently a party in certain proceedings involving Trade Fixture Eminent Domain Proceedings in which the Village of Spring Valley, New York (“Village”) is represented by the Law Firm of Barclay Damon, LLP (formerly Hiscock and Barclay); and

WHEREAS, the Village Board wishes its Special Counsel to review all information with regard to such proceedings including all pleadings and opinions of Counsel at Barclay Damon LLP with regard to this matter; and

WHEREAS, the Village Board wishes to have Special Counsel be provided with full access to information concerning all pending issues; now, therefore, it is hereby;

RESOLVED, by the Board of Trustees as follows:

Section 1. The Village hereby ratifies and affirms each and every “Whereas” paragraph above as though set forth in full herein.

Section 2. Counsel at Barclay Damon LLP are hereby directed forthwith to communicate and respond to all requests for information by Feerick Lynch MacCartney, ESQS. Special Counsel for the Village of Spring Valley, New York.

Section 3. This Resolution shall take effect immediately.

The next item on the agenda, Approval of the resolution presented by Trustee White, for the proposal to deduct the \$32,000 that the Village gives the MLK Center annually to bring the cost down for the summer camp proposal from \$114,280 to \$82,280, for 91 Children. ; **failed.**

**RESOLUTION NO. 319 OF 2015
ADJOURNMENT OF THE MEETING TILL
THURSDAY JUNE 25, 2015 AT 6:00 P.M.**

Trustee Grossman offered the following resolution, which was seconded by Trustee White 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 Thursday, June 25, 2015 at six o'clock in the evening.

Respectfully submitted
Village Clerk's Office