

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 9, 2015 at 7:00 pm.

Respectfully Submitted
Village Clerk's Office

Dated: Spring Valley, New York
May 27, 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 May 26, 2015 meeting.

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

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

The pledge of alliance was led by Mayor Delhomme.

Mayor's Report/Office

The Mayor presented metals and certificates honoring the Spring Valley High School Boys Basketball Team and the coaching staff for their accomplishment in winning and making it to the 2015 Section 1 Class A Basketball Championship.

Referral No. 3030

**RESOLUTION NO. 272 OF 2015
MOTION TO GO INTO EXECUTIVE SESSION
TO DISCUSS PERSONNEL MATTERS**

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

WHEREAS, a motion was made to go into session to discuss Personnel matters;

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 approves that the Board go into session to discuss Personnel matters.

**RESOLUTION NO. 273 OF 2015
MOTION TO COME OUT OF EXECUTIVE SESSION
TO DISCUSS PERSONNEL MATTERS**

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

WHEREAS, a motion was made to come out of session to discuss Personnel matters;

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 approves that the Board come out of session to discuss Personnel matters.

**RESOLUTION NO. 274 OF 2015
OPEN PUBLIC PARTICIPATION**

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

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

RESOLVED, that the Village Board of Trustees approves that the public participation portion of the meeting is opened.

**RESOLUTION NO. 275 OF 2015
CLOSE PUBLIC PARTICIPATION**

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

WHEREAS: the public participation portion of the meeting is closed and, therefore, it is hereby

RESOLVED, that the Village Board of Trustees approves that the public participation portion of the meeting is closed.

**RESOLUTION NO. 276 OF 2015
APPROVAL TO PAY INVOICE 32041
TO FEERICK LYNCH MACCARTNEY PLLC**

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

WHEREAS, a motion was made to pay invoice number 32041 to Feerick Lynch MacCartney PLLC for legal services rendered to the Village of Spring Valley in the amount of \$3,847.50; and

WHEREAS, such request requires the approval of the Spring Valley Boar of Trustees; and

RESOLVED, that Village Board of Trustees approves payment of invoice number 32041 to Feerick Lynch MacCartney PLLC in the amount of \$3,847.50.

Referral No. 2030

**RESOLUTION NO. 277 OF 2015
APPROVAL TO PAY INVOICE 31904 TO FEERICK, LYNCH,
MACCARTNEY PLLC FOR LEGAL SERVICES**

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

WHEREAS, a motion was made to pay invoice number 31904 to Feerick Lynch MacCartney PLLC for legal services rendered to the Village of Spring Valley in the amount of \$2,070.00; and

WHEREAS, such request requires the approval of the Spring Valley Boar of Trustees; and

RESOLVED, that Village Board of Trustees approves payment of invoice number 31904 to Feerick Lynch MacCartney PLLC in the amount of \$2,070.00.

Referral No. 2030

**RESOLUTION NO. 278 OF 2015
APPROVAL TO PAY INVOICE 32042 TO FEERICK,
LYNCH, MACCARTNEY PLLC**

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

WHEREAS, a motion was made to pay invoice number 32042 to Feerick, Lynch, MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$22,821.85; and

WHEREAS, such request requires the approval of the Spring Valley Boar of Trustees; and

RESOLVED, that Village Board of Trustees approves payment of invoice number 32042 to Feerick Lynch MacCartney PLLC in the amount of \$22,821.85.

Referral # 2034

**RESOLUTION NO. 279 OF 2015
RENEWAL OF AGREEMENT BETWEEN J. O'CONNELL AND
VILLAGE OF SPRING VALLEY TO RETAIN J. O'CONNELL
AS INDEPENDENT CONTRACTOR**

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

WHEREAS, the Legal Department requests approval to renew the agreement between J. O'Connell & Associates, Inc. and the Village of Spring Valley to retain J. O'Connell & Associates as an independent contractor to provide professional grants consulting services for a one year term (June 1, 2015 through May 31, 2016) and;

WHEREAS, approval is requested to authorize the Mayor to sign said agreement; 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 of Spring Valley Board of Trustees approves the renewal of the agreement between J. O'Connell & Associates, Inc. and the Village of Spring Valley to retain J. O'Connell & Associates as an independent contractor to provide professional grants consulting services from June 1, 2015 through May 31, 2016 and authorizes the Mayor to sign said agreement.

**RESOLUTION NO. 280 OF 2015
MOTION TO PAY INVOICE NUMBER 4455862
TO HISCOCK & BARCLAY FOR LEGAL SERVICES**

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

WHEREAS, a motion was made to pay invoice number 4455862 to Hiscock and Barclay for legal services rendered to the Village of Spring Valley in the amount of \$13,186.33.

WHEREAS, such request 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 approves payment of invoice number 4455862 to Hiscock and Barclay for legal services rendered to the Village of Spring Valley in the amount of \$13,186.33.

Referral No. 3052

**RESOLUTION NO. 281 OF 2015
APPROVAL TO AUTHORIZE FEERICK LYNCH MACCARTNEY
TO REPRESENT VILLAGE IN PENDING
TAX CERTIORARI LITIGATION MATTERS**

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

WHEREAS, a motion was made to authorize special Counsel Feerick Lynch MacCartney to represent the Village of Spring Valley in the pending Tax Certiorari litigation matters; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approves authorization of special Counsel Feerick Lynch MacCartney to represent the Village of Spring Valley in the pending Tax Certiorari Litigation matter.

Referral No. 2050

**RESOLUTION NO. 282 OF 2015
RENEWAL 2015-2016 MUNICIPAL SNOW
AND ICE AGREEMENT EXTENSION**

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

WHEREAS, a motion was made to renew the 2015-2016 Municipal Snow and Ice Agreement Extension and to authorize the Mayor to sign said agreement; 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 of Spring Valley Board of Trustees approved the renewal of the 2015-2016 Municipal Snow and Ice Agreement Extension and authorized the Mayor to sign said agreement.

Referral No. 2033

**RESOLUTION NO. 283 OF 2015
SET DATE FOR PUBLIC HEARING TO ACCEPT
SECTION 8 HOUSING AUTHORITY ANNUAL AGENCY PLAN**

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

WHEREAS, a motion was made to set a date of July 28, 2015 for a public hearing to accept Section 8 Housing Authority Annual Agency Plan; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approves setting a date of July 28, 2015 for a public hearing to accept Section 8 Housing Authority Annual Agency Plan.

Referral No. 2030

**RESOLUTION NO. 284 OF 2015
APPROVAL OF ABSTRACTS SECTION 8**

Deputy Mayor Leon 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 authorizes the Treasurer of the Village of Spring Valley to Pay such bills.

| <u>SECTION 8 PROGRAM</u> | <u>CLAIMANT</u> | <u>AMOUNT</u> |
|--|-----------------------------------|----------------------|
| 5279 | EverBank Inv.#3187094 | \$364.23 |
| 5280 | Shield Information Solutions | \$545.99 |
| 5281 | Optimum, Billing Period 5/22-6/21 | \$ 94.85 |
| Total Section 8 Program Abstract for Village Board Approval | | \$1,005.07 |

Referral No. 2043

**RESOLUTION NO. 285 OF 2015
MATTHEW JONES APPROVAL TO ATTEND
THE GRANT WRITING WORKSHOP**

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

WHEREAS, a motion was made to approve Matthew Jones, Community Development Specialist, to attend the Grant Writing workshop on Tuesday, June 16, 2015 at the Residence Inn, 3 Stevens Way, Orangeburg, New York; and

WHEREAS, the cost of the workshop is \$400 for the day;

WHEREAS, such request 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 approve Matthew Jones to attend the Grant Writing workshop on Tuesday June 16, 2015 at the Residence Inn, Orangeburg, New York at the cost of \$400.

Referral No. 2043

**RESOLUTION NO. 286 OF 2015
MATTHEW JONES APPROVAL TO ATTEND
ONLINE ETHICS TRAINING COURSE**

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

WHEREAS, a motion was made to allow Matthew Jones, Community Development Specialist, to attend an online Ethics training course through the National Association of Housing and Redevelopment Officials (NAHRO) for credit towards a certificate in Community Revitalization and Development Professional; and

WHEREAS, the online course will be held on June 17 and June 18, 2015 from 1:30 pm to 4:00 pm , costing the Village \$360; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approve Matthew Jones attending an online Ethics training course for credit towards a certificate in Community Revitalization and Development Professional on June 17, and June 18, 2015 from 1:30 pm to 4:00 pm., costing \$360.

Referral No. 2030

**RESOLUTION NO. 287 OF 2015
APPROVAL OF SUMMER FEEDING ABSTRACT**

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

WHEREAS, the Village Treasurer requests approval of Abstract #3 in the amount of \$606.25; 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, Abstract #3 requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village Board of Trustees approve #3 abstract in the amount of \$606.25.

SUMMER FEEDING ABSTRACT

DATE: May 26, 2015 – June 5, 2015

Amount \$606.25

Claimant: Sephora Jean-Leger
SFP Coordinator

Referral No. 2064

**RESOLUTION NO. 288 OF 2015
SEPHORA JEAN-LEGER'S SIGNED VOUCHERS
SUMMER FEEDING PROGRAM**

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

WHEREAS, a motion was made to approve Sephora Jean-Leger’s signed vouchers for the time period of May 26, 2015 to June 15, 2015 for 24.25 hours in the amount of \$606.25 for the Summer Feeding Program; 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 of Spring Valley Board of Trustees approves Sephora Jean-Leger’s signed vouchers for May 26, 2015 to June 15, 2015 for 24.25 hours in the amount of \$606.25 for the Summer Feeding Program.

The next item on the agenda, approval of the request from Lt. Schnaars to declare an old, unused Spring Valley Police Department computer, (Dell Opiplex 755) serial number D5DW5C1, as surplus, **failed**.

The next item on the agenda, approval of the request from LT Schnaars to recycle and dispose of an old, unused Spring Valley Police Department computer (Dell Optiplex 755) serial number D5DW5C1, **failed** with no motion.

Referral No. 2032

**RESOLUTION NO. 289 OF 2015
APPROVAL OF REQUEST FROM MANNY CARMONA TO
REFUND EZ ELECTRIC FOR A RETAINER FOR 139 UNION ROAD**

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

WHEREAS, a motion was made to approve request from Manny Carmona, Assistant Building Inspector, to refund EZ Electric in the amount of \$1,000.00 for a retainer made for roof mounted solar panels for 139 Union Road; 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 of Spring Valley Board of Trustees approves Manny Carmona’s request to refund EZ Electric in the amount of \$1,000.00 for a retainer made for roof mounted solar panels for 139 Union Road.

Referral No. 2030

**RESOLUTION NO. 290 OF 2015
APPROVAL OF GENERAL ABSTRACTS**

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

WHEREAS, the Village Treasurer requests approval of General Abstract in the amount of \$189,104.90; 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, Abstract requires the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village Board of Trustees approve abstract in the amount of \$189,104.90.

GENERAL ABSTRACT

DATE: JUNE 9, 2015

Amount \$189,104.90

Claim #56034472

THRU 56034630

Referral No. 2030

**RESOLUTION NO. 291 OF 2015
APPROVAL OF POST AUDIT ABSTRACTS**

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

WHEREAS, the Village Treasurer requests approval of the Post Audited Abstracts in the amount of \$520,356.53 and \$1,200.00; 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, Post Audited Abstracts require the approval of the Village of Spring Valley Board of Trustees; now, therefore, it is hereby

RESOLVED that the Village Board of Trustees approve the Post Audited Abstracts in the amount of \$520,356.53 and \$1,200.00; excluding voucher # 56034560.

POST AUDIT GENERAL ABSTRACT

DATE: June 9, 2015

Amount \$520,356.53

CLAIM # 56034465

THRU 56034587

POST TRUST & AGENCY ABSTRACT

Amount \$1,200.00

CLAIM # 56034397

THRU 56034397

Exclude voucher # 56034560

Trustee Reports

Youth & Recreation- Trustee White- *I can give you a report once we have a program for the summer.*

Fire & Safety- Trustee Grossman- *Lt. Schnaars is here from the Police Department and I would him to present his report from the Police Department, as part of fire and safety Lt. Schnaars presented his report from the Police Department to the Board of Trustees and the community.*

Infrastructure-Deputy Mayor Leon- *I just want to stop illegal housing initiative brought by County Executive Ed Day to tackle clum landlords who do not want to abide by the rules. I went into some buildings, where the landlords did not maintain the childings properly. Advertising that it is \$1400.00 for two bed rooms, and there are no fire alarms, no carbon monoxide detectors. When I got back from doing my inspection, I went to the Building Department to try and tackle some of these issues, getsome of the services they paid for. Regarding the roads the Mayor has in mind to buy a machine to assist DPW to strip the roads so that the potholes can remain fixed. That is a very important issue and I know it is a major concern with a lot of the residents.*

Economic-Development /Community Development-Trustee – No Report

**RESOLUTION NO. 292 OF 2015
MOTION TO SUSPEND RULES TO
AGENDA ITEM NUMBER 14J**

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

WHEREAS, a motion was made to suspend the rules to move to agenda item number 14J under New Business; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approves the motion to suspend the rules to move to agenda item number 14J under New Business.

Referral No. 3052

**RESOLUTION NO. 293 OF 2015
AUTHORIZE MR. LYNCH, ESQ. TO PUT TOGETHER
AN RFP PROPOSAL FOR THE SUMMER PROGRAM**

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

WHEREAS, a motion was made to authorize Mr. Dennis Lynch, Esq., to put together two RFP proposals for the summer program, and

WHEREAS, one RFT proposal will be for 73 children and one RFT proposal will be for 120 children; 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 of Spring Valley Board of Trustees approve the authorization of Mr. Dennis Lynch, Esq. to put together two RFP proposals for the summer program; one for 73 children and one for 120 children.

**RESOLUTION NO. 294 OF 2015
SUSPEND THE RULES BACK TO
AGENDA ITEM NUMBER 14A**

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

WHEREAS, a motion was made to suspend the rules back to agenda item number 14A under New Business; and

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

RESOLVED. the Village of Spring Valley Board of Trustees approve the motion to suspend the rules back to agenda item number 14A under New Business.

The next item on the agenda, approval to accept the renewal of a three year Travelers (fidelity) bond for 6/1/15 in the amount of \$1,602.00 annually, **failed.**

The next item on the agenda, approval to accept annual renewal premiums for NYMIR and Alliance covering 6/30/15- 6/30/16 renewals in the amount of \$2,230,385.05, **failed** because no motion.

Referral No. 2064

**RESOLUTION NO. 295 OF 2015
 BID BY NU-WAY CONCESSIONARIES, INC
 FOR 2015 SUMMER FEEDING PROGRAM**

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

WHEREAS, a motion was made to accept the Bid submitted by Nu-Way Concessionaries, Inc. for the 2015 Summer Feeding Program at a total estimated cost of \$43,315.55; and

WHEREAS, the program starts July 6, 2015; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approve the motion to accept the Bid submitted by Nu-Way Concessionaries, Inc. for the 2015 Summer Feeding Program, which begins on July 6, 2015; at a total estimated cost of \$43,315.55.

The next item on the agenda, approval to accept the resolution regarding the return of Walter Booker to Village Hall, **failed** because no motion.

Referral No. 3067

**RESOLUTION NO. 296 OF 2015
 SETTELEMENT OF \$35,000 REGARDING THE GINA LOUIS
 V. VILLAGE OF SPRING VALLEY MATTER**

Trustee White offered the following resolution, which was seconded by Mayor Delhomme and adopted:

WHEREAS, a motion was made to accept the settlement amount of \$35,000 regarding the Gina Louis v. Village of Spring Valley matter; 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 of Spring Valley Board of Trustees approve the settlement amount of \$35,000, regarding the Gina Louis v. Village of Spring Valley matter.

Referral No. 2088

**RESOLUTION NO 297 OF 2015
 REIMBURSEMENT OF THREE PROPERTY OWNERS
 FROM CONDOMINIUM UNITS AT PARKVIEW**

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

WHEREAS, a motion was made to approve the request from Mr. Holland and Mr. Cherian to reimburse three properties (Units 3106, 3211, 3306) from the three condominium units at Parkview, that was incorrectly double billed to the Village; and

WHEREAS, each unit was relieved by the County and each property owner also paid their tax bill and each should be reimbursed \$4,918.88; and

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

RESOLVED, the Village of Spring Valley Board of Trustees approve the reimbursement of three properties: Units 3106, 3211 and 3306 from the three condominium units at Parkview that was incorrectly double billed to the Village.

RESOLVED, each property owner should be reimbursed \$4,918.88.

The next item on the agenda, approval of the request from Mr. Holland, Village Assessor, to accept the settlement amount of \$60,266 for P.A. Palladino (126-128 Maple) v. Village of Spring Valley for tax years of 2012-2015, **failed** because no motion.

The next item on the agenda, approval of the request from Mr. Holland, Village Assessor, to accept the settlement amount of \$67,322 for Cole Levy v. Village of Spring Valley for tax years of 2013-2014 was **postponed** to the next board meeting.

The next item on the agenda, approval to appeal the Little Angel Daycare Trade Fixture matter and pay the appeal record costs upfront, **failed** because no motion.

The next item on the agenda, approval to contract with the Dr. Martin Luther King Jr. Multi-Purpose Center for the purposes of conducting a summer program and an after school program that will provide recreational activities for village Children upon the terms set forth in schedule "A" and to authorize the Mayor to sign agreement, was **postponed** to the next board meeting so an RFP can be done.

Referral No. 3044

**RESOLUTION 298 OF 2015
ADJOURNMENT**

Deputy Mayor Leon 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 Tuesday, June 23, 2015 at seven o'clock in the evening.

Respectfully submitted

Village Clerk's Office