

July 12, 2011

**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, New York on Tuesday, July 12<sup>th</sup>, 2011 at 8:00 pm.

Sherry M. Scott  
Village Clerk

Dated: Spring Valley, New York  
July 1<sup>st</sup>, 2011

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**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 June 28<sup>th</sup>, 2011 meeting.

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

Noramie F. Jasmin	Mayor
Joseph A. Desmaret	Deputy Mayor (Absent)
Anthony Leon	Trustee (Absent)
Joseph Gross	Trustee
Demeza Delhomme	Trustee
Kevin T. Conway	Village Attorney
Sherry M. Scott	Village Clerk

Trustee Gross led the assembly in the salute to the flag.

The invocation was delivered by Trustee Delhomme.

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**Referral No. 2058**

**RESOLUTION NO. 394 OF 2011  
APPROVING MINUTES OF  
JUNE 14, 2011**

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

RESOLVED, that the transcribed minutes of the Village of Spring Valley meeting held on June 14, 2011 as recorded by the Clerk and presented to the Board are hereby adopted.

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**Mayor's Report**

Thanks to Chief Steve Kaye for the invitation two weeks ago to administer the Oath of Office to the members of the Ambulance Corp. That was a nice event. I am now going to present a Proclamation to Chief Steve Kaye for forty years of service and dedication to the people of the Village of Spring Valley.

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**Referral No. 2059**

**RESOLUTION NO. 395 OF 2011  
OPEN PUBLIC PARTICIPATION**

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

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

RESOLVED, that the following person(s) addressed the Board and participated in this portion of the meeting (There were no speakers).

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**Referral No. 2059**

**RESOLUTION NO. 396 OF 2011  
CLOSE PUBLIC PARTICIPATION**

Trustee Delhomme offered the following resolution, which was seconded by Trustee Gross 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.

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**Referral No. 2030**

**RESOLUTION NO. 397 OF 2011  
APPROVE PAYMENT TO DAINDE LAPLANTE  
RECORDED THE VILLAGE OF SPRING VALLEY BOARD MEETING**

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

WHEREAS, the Village Clerk is requesting approval of payment to Dainde Laplante for Recorded Village of Spring Valley Board Meeting; and

WHEREAS, it is necessary for the Spring Valley Board of Trustees to approve this payment to Dainde Laplante, \$75.00 for the recorded meeting; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the payment to Dainde Laplante for the recorded Village of Spring Valley Board Meeting in the amount of \$75.00 (Invoice #06282011-2) for the June 28, 2011 Village Board Meeting.

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Referral No. 2030

**RESOLUTION NO. 398 OF 2011  
AUTHORIZING PAYMENT OF BILLS  
FOR THE VILLAGE OF SPRING VALLEY**

Trustee Delhomme offered the following resolution, which was seconded by Deputy Mayor Desmaret 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 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie Jasmin 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:** July 12, 2011

**GENERAL ABSTRACT #2011/6**

Amount \$701,166.43      Claim #56021111      thru 56021250

**CAPITAL ABSTRACT #2011/C2**

Amount \$222,967.60      Claim #56021251      thru 56021253

Referral No. 2030

**RESOLUTION NO. 399 OF 2011  
AUTHORIZING PAYMENT OF BILLS  
FOR THE VILLAGE OF SPRING VALLEY  
(APPROVAL OF POST AUDIT)**

Trustee Delhomme offered the following resolution, which was seconded by Deputy Mayor Desmaret 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 2010/2011 adopted budget; and

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WHEREAS, Mayor Noramie Jasmin 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.

**POST AUDITED GENERAL ABSTRACT #2011/3**

**DATED:** July 12, 2011

Amount \$2,626,007.63

Claim #56021081

thru #56021175

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**The next item on the agenda, Approval to Accept a Donation for the General Fund Account in the Amount of \$4,700.00 for July 4<sup>th</sup> Celebration and Spring Valley Day Fund in the Amount of \$5,700.00, will appear on the next agenda.**

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**Referral No. 2035/3037**

**RESOLUTION NO. 400 OF 2011  
APPROVE THE CDBG 2011 SUB-RECIPIENT AGREEMENT  
IN THE AMOUNT OF \$140,000 FOR 2011 AND  
AUTHORIZE MAYOR NORAMIE F. JASMIN  
TO EXECUTE THE CONTRACT**

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

WHEREAS, funding for the 2011 Community Development Block Grant Program in the amount of \$140,000 has been approved by the Rockland County Office of Community Development, and

WHEREAS, the approval of the Village of Spring Valley Board of Trustees is required to accept this funding, now therefore it is hereby

RESOLVED, that the Spring Valley Board of Trustees hereby authorized Major Noramie Jasmin to execute the contract for 2011 Community Development Block Grant funding in the amount of \$140,000.

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The Village Clerk read the following notice

**NOTICE OF PUBLIC HEARING  
LEGAL NOTICE  
VILLAGE OF SPRING VALLEY  
VILLAGE BOARD**

**NOTICE IS HEREBY GIVEN**, that a public hearing will be held by the Board of Trustees of the Village of Spring Valley at Village Hall, 200 North Main Street, Spring Valley, New York on the 12th of July 2011, commencing at 8:15 p.m. or soon thereafter to consider the following matters:

The application of 9 Zeissner Lane, Spring Valley, New York 10977 to construct an addition to an existing one family home located within the Floodplain Overlay District.

The Board, at the aforementioned time and place will hear all persons in support of the application(s) and objections thereto. Applicants must appear in person or representative. Letters in favor or opposed to the application will be accepted if they are received prior to the time of hearing. Plans, if any, for the above application or a copy of the proposed Local Law is available for review at the Village Clerk's office during normal business hours, 8:30 a.m. to 4:30 p.m. Monday through Friday.

Dated: Spring Valley, New York  
July 1<sup>st</sup>, 2011

Sherry Scott  
Village Clerk

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**Referral No. 2050**

**RESOLUTION NO. 401 OF 2011  
OPEN PUBLIC HEARING  
SPECIAL PERMIT APPLICATION FOR 9 ZEISSNER LANE  
TO CONSTRUCT AN ADDITION TO AN EXISTING  
ONE FAMILY HOME LOCATED WITHIN  
THE FLOODPLAIN OVERLAY DISTRICT**

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

RESOLVED, that the public hearing on whether to grant a Special Permit for 9 Zeissner Lane, Spring Valley, New York 10977 to construct an addition to an existing one family home located within the Floodplain Overlay District, is hereby open.

**Debate:**

Mr. Goldman – 9 Zeissner Lane, Spring Valley, NY

I am the applicant for the project.

Mayor Jasmin

Before the meeting we had a discussion, which need to be put on record.

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Trustee Delhomme

We basically do not want to give permits in that particular flood area because it can be a disaster. But, we know the situation, we just can't stop it, people need room and space. So, we are going to have to move forward with what the community need. Therefore, even though we are doing that, but I want to make this statement part of the record, when we give this kind of permit make sure that we the Village is not responsible for anything. If you build in the flood area, you are responsible. So, you cannot come back to us later on if anything happen in the flood area and put the blame on the Village. If you will agree with that that will be part of the record.

Mayor Jasmin

Do you agree with that, Sir?

Mr. Goldman

Yes.

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**Referral No. 2050**

**RESOLUTION NO. 402 OF 2011  
CLOSE PUBLIC HEARING  
SPECIAL PERMIT APPLICATION FOR 9 ZEISSNER LANE  
TO CONSTRUCT AN ADDITION TO AN EXISTING ONE FAMILY  
HOME LOCATED WITHIN THE FLOODPLAIN OVERLAY DISTRICT**

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

WHEREAS, there were no speakers on the Public Hearing for a special permit application for 9 Zeissner Lane to construct an addition to an existing one family home located within the floodplain overlay district; now, therefore, it is hereby

RESOLVED, that the public hearing for a special permit application for 9 Zeissner Lane to construct an addition to an existing one family home located within the floodplain overlay district, is hereby closed.

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**Referral No. 2050**

**RESOLUTION NO. 403 OF 2011  
SPECIAL PERMIT APPLICATION FOR 9 ZEISSNER LANE  
TO CONSTRUCT AN ADDITION TO AN EXISTING ONE FAMILY  
HOME LOCATED WITHIN THE FLOODPLAIN OVERLAY DISTRICT**

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

WHEREAS, the applicant is proposing construct an addition to an existing one family home; and

WHEREAS, the subject property is located on the north side of Zeissner Lane, Approximately 275' of West Frances Place; and

WHEREAS, the subject property is also located within the Village's Floodplain Overlay District; and

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WHEREAS, the applicant has acknowledged that he will be responsible for building in the Floodplain Overlay District and it has become part of the record of the July 12, 2011 minutes; and

WHEREAS, such request 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 request for a special permit application for 9 Zeissner Lane to construct an addition to an existing one family home located within the floodplain overlay district ; and be it further

RESOLVED, that the applicant has acknowledged that he will be responsible for building in the Floodplain Overlay District

RESOLVED, that all postings and mails are completed.

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**Referral No. 2033**

**RESOLUTION NO. 404 OF 2011  
SETTING A DATE FOR A PUBLIC HEARING  
TO REPEAL CHAPTER 12 OF THE VILLAGE CODE**

Trustee Delhomme offered the following resolution, which was seconded by Trustee Gross and unanimously adopted.

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to set a date for a public hearing to repeal Chapter 12 of the Village Code; now, therefore, it is hereby

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, July 26, 2011 at 8:15 pm, to repeal Chapter 12 of the Village Code.

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**Referral No. 2047/4002**

**RESOLUTION NO. 405 OF 2011  
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT  
TO APPROVE THE RECOMMENDATION THAT “NO PARKING”  
SIGNS BE PLACED BETWEEN 24 AND 34 MORRIS ROAD**

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

WHEREAS, the Legal Department has requested approval for no parking signs be placed between 24 and 34 Morris Road; and

WHEREAS, the Planning Board recently granted approval for the construction of a synagogue on Morris Road; and

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WHEREAS, the Planning Board and Zoning Board members agreed to recommend to the Village Board that No Parking signs be placed between 24 and 34 Morris Road; and

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

RESOLVED, that the Village Board of Trustee approve the recommendation from the Legal Department, Planning and Zoning Boards, that “No Parking” signs be placed between 24 and 34 Morris Road.

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**Referral No. 2034**

**RESOLUTION NO. 406 OF 2011  
APPROVAL OF RENEWED CONTRACT WITH KAUKER & KAUKER,  
THE VILLAGE’S PLANNING CONSULTANT**

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

WHEREAS, the Legal Department has requested that the Village accept the revised contract with Kauker & Kauker, the Village’s Planning Consultant; and

WHEREAS, the 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 hereby approves the request from the Legal Department to accept the revised contract with Kauker & Kauker, the Village’s Planning Consultant for the fiscal year June 1, 2011 to May 31, 2012 and authorize the Mayor to sign; and be it further

RESOLVED, that the revision reflects a \$10.00 per hour reduction in charges by all Kauker personnel for Direct Bills to the Village.

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**Referral No. 3033**

**RESOLUTION NO. 407 OF 2011  
APPROVAL OF BMI MUSIC LICENSE AGREEMENT  
FOR ENTERTAINMENT FOR THE SPRING VALLEY DAY EVENT**

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

WHEREAS, the Legal Department has requested the approval of BMI Music License Agreement for Spring Valley Day event and authorize the Mayor to sign agreement; and

WHEREAS, the request requires 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 request from the Legal Department to approve the BMI Music License Agreement for Spring Valley Day event and authorize the Mayor to sign agreement.

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Referral No. 3031

**RESOLUTION NO. 408 OF 2011  
APPROVAL OF EMERGENCY ORDER OF CONDEMNATION  
TO OBTAIN EASEMENTS ON PROPERTIES TO ENABLE  
THE PASCACK BROOK PROJECT TO PROCEED**

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

WHEREAS, the Legal Department has requested emergency order of condemnation to obtain easements on properties to enable the Pascack Brook Project to proceed; and

WHEREAS, this will permit the condemnation of a portion of certain properties located in the immediate vicinity of the Pascack Brook in order to obtain easements necessary; and

WHEREAS, this will enable the contractor for the Pascack Brook Improvement Project to carry out this essential work; and

WHEREAS, the constant flooding of this area during heavy rainstorms and the imminent start of the project make necessary the prompt obtaining of these easements; and

WHEREAS, the 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 hereby approves the request from the Legal Department to proceed to court on an Emergency Order to permit the condemnation of a portion of certain properties located in the immediate vicinity of the Pascack Brook in order to obtain easements necessary.

**Debate:**

Trustee Delhomme

That particular issue I received a call from the people responsible. They requested that I go to houses to explain it to them. I will be there Monday with Isaac so you can understand the easement. We would like to fix the flood problem and we need the access and cooperation from everyone involved.

Mayor Jasmin

This is not a threat, we just want you to cooperate with us. It is very important to have the easements move forward.

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**Trustees Report**

Economic Development – Trustee Leon - Absent

Fire & Safety – Trustee Gross –  
The new Walgreen has started.

Infrastructure – Trustee Delhomme  
The building will make a lot of money for the Village.

Youth & Recreation – Deputy Mayor Desmaret - No Report - Absent

**Mayor's Report**

I have to say that I am proud of this Board. We are all for the progress of this Village. We have all been bringing in new business which will balance our tax rolls.

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**ADJOURNMENT IN MEMORY OF  
RICOBERTO REYES**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Ricoberto Reyes, June 24, 2011.

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**ADJOURNMENT IN MEMORY OF  
JOSEPH A. SECORA**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Joseph A. Secora, June 28, 2011.

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**ADJOURNMENT IN MEMORY OF  
ELENA VOROBAY**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Elena Vorobay, June 28, 2011.

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**ADJOURNMENT IN MEMORY OF  
JANIAH SHAKALE LAKES ROLLINS**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Janiah Shakale Lakes Rollins, June 30, 2011.

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**ADJOURNMENT IN MEMORY OF  
GEORGE H. WILLIAMS, SR.**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of George H. Williams, Sr., July 1, 2011.

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**ADJOURNMENT IN MEMORY OF  
EMILY DANIELLE BONNEAU**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Emily Danielle Bonnequ, July 3, 2011.

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**ADJOURNMENT IN MEMORY OF  
LIDIA S. VLADIMIROVA**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Lidia S. Vladimirova, July 4, 2011.

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**ADJOURNMENT IN CELEBRATION THE BIRTH OF  
LONDON ELIZABETH SWABY**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in celebration of the birth of London Elizabeth Swaby, June 11, 2011, the proud parents Asha Cummings and Shaun Swaby.

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**RESOLUTION NO. 409 OF 2011  
ADJOURNMENT**

Trustee Gross offered the following memorial, which was seconded by the Trustee Delhomme and unanimously approved:

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, July 26, 2011, at eight o'clock in the evening.

Respectfully Submitted,  
Sherry M. Scott  
Village Clerk

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