

July 26, 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, Spring Valley, New York on Tuesday, July 26th, 2011 at 8:00 pm.

Sherry M. Scott
Village Clerk

Dated: Spring Valley, New York
July 20th, 2011

**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 July 12th, 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 |
| Anthony Leon | Trustee |
| Joseph Gross | Trustee |
| Demeza Delhomme | Trustee (Absent) |
| Kevin T. Conway | Village Attorney |
| Sherry M. Scott | Village Clerk |

Deputy Mayor Desmaret led the assembly in the salute to the flag.

The invocation was delivered by Trustee Gross.

Referral No. 2058

**RESOLUTION NO. 410 OF 2011
APPROVING MINUTES OF
JUNE 28, 2011**

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

RESOLVED, that the transcribed minutes of the Village of Spring Valley meeting held on June 28, 2011 as recorded by the Clerk and presented to the Board are hereby adopted.

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Referral No. 2059

**RESOLUTION NO. 411 OF 2011
OPEN PUBLIC PARTICIPATION**

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

WHEREAS, the public participation portion of the meeting is opened; now, 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).

Referral No. 2059

**RESOLUTION NO. 412 OF 2011
CLOSE PUBLIC PARTICIPATION**

Deputy Mayor Desmaret 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.

Referral No. 2026

**RESOLUTION NO. 413 OF 2011
CLASSIFY THE POSITION OF
OFFICE SERVICES AIDE (PART TIME)
PARKS AND RECREATION**

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

WHEREAS, Mayor Jasmin is requesting that the position of Office Services Aide, Part Time be classified in Parks and Recreation; 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 hereby approve the request to classify the position of Office Services Aide, Part Time, in Parks and Recreation.

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Referral No. 2001

RESOLUTION NO. 414 OF 2011
APPROVE THE REQUEST TO APPOINT SONYA WATKINS, RN
AS THE NURSING CONSULTANT TO THE
CAMP BEST AND THE AFTER SCHOOL PROGRAMS

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

WHEREAS, NYS Department of Health and NYS Office of Children and Family Services policies require all camps and after school programs have a medical personnel review the medical forms; and

WHEREAS, a medical person is needed to check on any medical issues students may have on an ongoing basis; and

WHEREAS, Mayor Jasmin appointed Sonya Watkins, RN as the Nursing Consultant to the Camp Best and the After School Programs at the Louis Kurtz Civic Center, Youth Bureau; and

WHEREAS, such appointment 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 appointment of Sonya Watkins, RN as the Nursing Consultant to the Camp Best and the After School Programs at the Louis Kurtz Civic Center, Youth Bureau.

Referral No. 2001

RESOLUTION NO. 415 OF 2011
APPROVE THE APPOINTMENT OF MARNIE BERNSTEIN
TO THE POSITION OF DIRECTOR, COMMUNITY DEVELOPMENT
AND HOUSING, PROVISIONAL, SUBJECT TO THE APPROVAL
OF ROCKLAND COUNTY PERSONNEL

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

WHEREAS, Mayor Jasmin appointed Marnie Bernstein to the position of Director, Community Development and Housing, Provisional, subject to the approval of Rockland County Personnel; and

WHEREAS, such appointment 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 appointment of Marnie Bernstein to the of position Director, Community Development and Housing, Provisional, subject to the approval of Rockland County Personnel.

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Referral No. 2001

**RESOLUTION NO. 416 OF 2011
APPROVE THE APPOINTMENT OF NALLIA BOOTH
TO THE POSITION OF DEPUTY DIRECTOR COMMUNITY
DEVELOPMENT AND HOUSING PROVISIONAL, SUBJECT
TO THE APPROVAL OF ROCKLAND COUNTY PERSONNEL**

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

WHEREAS, Mayor Jasmin appointed Nallia Booth to the position of Deputy Director, Community Development and Housing, Provisional, subject to the approval of Rockland County Personnel; and

WHEREAS, such appointment 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 appointment of Nallia Booth to the position of Deputy Director, Community Development and Housing, Provisional, subject to the approval of Rockland County Personnel.

Referral No. 2030

**RESOLUTION NO. 417 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 #07122011-1) for the July 12, 2011 Village Board Meeting.

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Referral No. 2060

**RESOLUTION NO. 418 OF 2011
APPROVE THE REQUEST FROM THE
ROCKLAND ATHLETIC CLUB, INC.
TO HAVE A COIN DROP**

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

WHEREAS, Rockland Athletic Club, Inc. has requested permission to organize a coin drop in collaboration with “Help Me Love Haiti”; and

WHEREAS, the proceeds will be used to sponsor shipping cost to send aids to Haiti; 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 from Rockland Athletic Club, Inc. to organize a “coin drop” in collaboration with “Help Me Love Haiti”, August 13, 2011 and August 14, 2011, 9:00 am – 3:00 pm, on the corners of Route 45 and Maple Avenue and the Route 59 and Route 45.

Referral No. 3029

**RESOLUTION NO. 419 OF 2011
APPROVE THE REQUEST FROM THE DEPUTY VILLAGE CLERK
TO TRANSFER FIFTY-THREE HOURS OF HER SICK TIME TO
NEIL VITIELLO, SUPERINTENDENT OF PUBLIC WORKS**

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

WHEREAS, the Deputy Village Clerk, Kathryn Ball, has requested to transfer fifty three hours of her unused sick time to Neil Vitiello, Superintendent of Public Works who is in need of fifty three hours of sick time; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Deputy Village Clerk, Kathryn Ball, who has requested to transfer fifty-three hours of her unused sick time to Neil Vitiello, Superintendent of Public Works who is need of fifty three-hours of sick time.

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Referral No. 2030

**RESOLUTION NO. 420 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross 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 27, 2011

GENERAL ABSTRACT #2011/8

Amount \$405,623.51 Claim #56021260 thru 56021372

Referral No. 2030

**RESOLUTION NO. 421 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(APPROVAL OF POST AUDIT)**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross 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

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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.

POST AUDITED GENERAL ABSTRACT #2011/4

DATED: July 27, 2011

Amount \$555,863.72 Claim #56021254 thru #56021345

Referral No. 2035/3037

**RESOLUTION NO. 422 OF 2011
APPROVAL TO ACCEPT A DONATION
FOR THE GENERAL FUND ACCOUNT FOR
THE JULY 4TH CELEBRATION AND SPRING VALLEY DAY**

Deputy Mayor Desmaret offered the following resolution, which was seconded by the entire Board and unanimously adopted:

WHEREAS, the Village Treasurer, Kuruvilla Cherian, has requested that the Village Board accept donations received as of July 7, 2011 in the general fund account for July 4th Celebration in the amount of \$4,700.00 and for Spring Valley Day event in the amount of \$5,700.00, and

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

RESOLVED, that the Spring Valley Board of Trustees hereby approves the request from the Village Treasurer, Kuruvilla Cherian to accept donations received as of July 7, 2011 in the general fund account for July 4th Celebration in the amount of \$4,700.00 and for Spring Valley Day event in the amount of \$5,700.00.

Referral No. 2034

**RESOLUTION NO. 423 OF 2011
AUTHORIZATION TO HIRE CORPORATE COST SOLUTIONS, INC. TO
AUDIT THE VILLAGE OF SPRING VALLEY WORKERS' COMPENSATION
INSURANCE PREMIUMS PAID FOR THE LAST THREE YEARS FOR A
CONTINGENCY BASED FEE OF 50% OF ALL REFUNDS**

Deputy Mayor Desmaret offered the following resolution, which was seconded by the entire Board and unanimously adopted:

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WHEREAS, the Village Treasurer, Kuruvilla Cherian, has requested authorization to hire Corporate Cost Solutions, Inc. to audit the Village Workers' Compensation Insurance premiums paid for the last three years for a contingency based fee of 50% of all refunds; and

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

RESOLVED, that the Spring Valley Board of Trustees hereby approves the request from the Village Treasurer, Kuruvilla Cherian, to hire Corporate Cost Solutions, Inc. to audit the Village Workers' Compensation Insurance premiums paid for the last three years for a contingency based fee of 50% of all refunds and authorize the Mayor to sign agreement.

Referral No. 2030

**RESOLUTION NO. 424 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
COMMUNITY DEVELOPMENT AND HOUSING**

Trustee Gross offered the following resolution, which was seconded by Trustee 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 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie F. 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
COMMUNITY DEVELOPMENT AND HOUSING
ABSTRACT #543**

COUNTYWIDE

| <u>RESTORE</u> | <u>CLAIMANT</u> | <u>AMOUNT</u> | <u>CHECK #</u> |
|--|--|---------------------------|----------------|
| 5135 | Barret CPS, PC | \$ 2,676.85 | |
| 5136 | Tenant Tracker, Inc. – Invoice #320570 | \$ 25.00 | |
| 5137 | Nelrod – Invoice #s SPR136, SPR137, SPR138, SPR139, SPR140 - \$199 Each | \$ 995.00 | |
| Total Section 8 Program Abstract: | | <u>\$ 3,696.85</u> | |

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The next item on the agenda, Public Hearing – Repeal Chapter 12 of the Village Code was not heard, a new date was set as follows:

Referral No. 2033

**RESOLUTION NO. 425 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
TO REPEAL CHAPTER 12 OF THE VILLAGE CODE**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted.

WHEREAS, the Village Board has determined to retain Local Law #8 of 2010, Defense and Indemnification which deals with when and how the Village will indemnify and defend its employees against lawsuits arising out of their work related activities; and

WHEREAS, the Village Code also contains reference to Chapter 12 which covers the same acts; and

WHEREAS, after reviewing both laws, the Legal Department believes that Local Law #8 of 2010 provides stronger protection for the Village and therefore recommend that Chapter 12 be repealed and be replaced by Local Law #8 of 2010; and

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, August 9, 2011 at 8:15 pm, to repeal Chapter 12 of the Village Code.

Referral No. 2033

**RESOLUTION NO. 426 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
MONSEY LUMBER ZONE CHANGE
OF A LOT DESIGNATED AS 50.79-2-15 FROM R-2 TO GB**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted.

WHEREAS, Monsey Lumber has requested that the Village Board change the zone of a lot designated as 50.79-2-15 from R-2 to GB; and

WHEREAS, the Planning Board has conducted SEQRA and issued a negative declaration dated July 7, 2011; and

WHEREAS, the Planning Board has also recommended the change of zone; and

WHEREAS, the County Planning Department does not oppose extending the boundary of the GB zone to accommodate the project; and

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

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RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, August 9, 2011 at 8:15 pm, to approve the request from Monsey Lumber for a zone change of a lot designated as 50.79-2-15 from R-2 to GB.

Referral No. 2033

**RESOLUTION NO. 427 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
SPECIAL PERMIT TO ALLOW THE CONSTRUCTION OF A 4,000 SQ. FT.
WAREHOUSE ON LOT 50.79-2-15, MONSEY LUMBER**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret and unanimously adopted.

WHEREAS, Monsey Lumber has made a request for a special permit to allow the construction of a 4,000 sq. ft. warehouse on their site; and

WHEREAS, the Planning Board has conducted SEQRA and issued a negative declaration dated July 7, 2011; and

WHEREAS, the County Planning Department does note that the parcel does not meet the minimum lot area requirement for warehouses in this zone; and

WHEREAS, the County recommends that the Village Board require the applicant to scale back the proposed size of the warehouse to eliminate or reduce variances; and

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to set a date for a public hearing for a special permit to allow the construction of a 4,000 sq. ft. warehouse on the Monsey Lumber site; now, therefore, it is hereby

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, August 9, 2011 at 8:15 pm, for a special permit to allow the construction of a 4,000 sq. ft. warehouse on the Monsey Lumber site.

Referral No. 2039

**RESOLUTION NO. 428 OF 2011
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT
TO APPROVE THE RECOMMENDATION FROM
MAYOR NORAMIE JASMIN TO ACCEPT THE LOWEST BID
FROM YALE EXTERMINATION SERVICES
FOR THE KURTZ CIVIC CENTER AND
THE DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, Sonia Barton has obtained three quotations for monthly extermination services at the Center; and

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WHEREAS, the lowest bid is by Yale Extermination; and

WHEREAS, Mayor Jasmin has requested that the lowest bid be approved from Yale Extermination; 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 Mayor Jasmin to approve the lowest bid from Yale Extermination for extermination services for the Louis Kurtz Civic Center and the Department of Public Works at a cost of \$50 per month (\$600 per year) for each department and authorize the Mayor to sign said agreement.

Referral No. 3039

**RESOLUTION NO. 429 OF 2011
APPROVAL OF THE SETTLEMENT OF NYS
CLAIM FOR DUMPING IN THE CLARKSTOWN LANDFILL
FROM 1984 TO DECEMBER 31, 1990**

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

WHEREAS, the Legal Department has requested the approval of settlement of NYS claim for dumping in the Clarkstown Landfill from 1984 to December 31, 1990 for the sum of \$72,838; and

WHEREAS, 1/3 of the payment will be paid upon signing, 1/3 will be paid in January 2012 and 1/3 will be paid in 2013; 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 pay NYS for dumping in the Clarkstown landfill from 1984 to December 31, 1990 the sum of \$72,838.

Referral No. 4004

**RESOLUTION NO. 430 OF 2011
APPROVE THE COMPLIANCE FOR ORDER ON CONSENT,
SPDES GENERAL PERMIT FOR MUNICIPAL SEPARATE
STORM SEWER SYSTEMS CASE # R3-20110114-23**

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

WHEREAS, the Legal Department has requested approval of the proposed Consent Order regarding compliance due to the previous late filing of the map submission of the storm water sewer shed by the building department along with the enactment of local law to enforce post construction storm water runoff management that is equivalent to the State's model law; and

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WHEREAS, the local law was passed timely but the Village Building Inspector's office was delayed in drafting and remitting the necessary map; and

WHEREAS, the Village Attorney's office has negotiated a consent order with stipulated financial penalty from \$25,000.00 dollars to \$12,000.00 dollars with only \$8,000.00 due and payable; 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 approve the proposed Consent Order regarding compliance due to the previous late filing of the map submission of the storm water sewer shed by the Building Department, along with the enactment of local law to enforce post construction storm water runoff management that is equivalent to the State's model law, SPDES General Permit for Municipal Separate Storm Sewer Systems Case #R3-20110114-23.

Referral No. 2034

**RESOLUTION NO. 431 OF 2011
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT
TO EXTEND THE PREVIOUS CONTRACT WITH BELLAVISTA
TO DO CURBS AND SIDEWALKS IN THE VILLAGE OF SPRING VALLEY**

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

WHEREAS, the Village previously contracted with Bellavista to do curbs and sidewalks in the Village; and

WHEREAS, the contract expired on December 31, 2010; and

WHEREAS, State law permits the Village to extend a contract for one year; and

WHEREAS, the Department of Public Works requests to extend the contract until December 31, 2011, terms and conditions remain the same; 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 Department of Public Works to extend the contract with Bellavista to do curbs and sidewalks in the Village until December 31, 2011.

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Referral No. 2037

**RESOLUTION NO. 432 OF 2011
APPROVAL TO INDEMNIFY AND DEFEND POLICE OFFICERS
IN A CIVIL RIGHTS CASE BASED UPON ACTIONS
TAKEN WHILE ACTING WITHIN THE SCOPE OF THEIR
OFFICIAL DUTIES FROM A REPORTED INCIDENT**

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

WHEREAS, the Legal Department is requesting that indemnification of Police Officers where a claimant has sued the Village for violation of his civil rights based upon actions taken by the Officers on February 19, 2010; and

WHEREAS, the Legal Department feel that after careful review of the facts, it is clear that the officers acted in the course of their employment and recommend that the Village agree to defend and indemnify them against any liability for damages alleged by the claimant; and

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

RESOLVED, that the Village Board of Trustees approve the recommendations from the Legal Department to defend and indemnify the police officers against any liability for damages alleged by the claimant from a reported incident dated February 19, 2010.

Referral No. 2034

**RESOLUTION NO. 433 OF 2011
APPROVAL OF A CONTRACT WITH RESOLUTION TITLE AGENCY
TO FILE 29 EASEMENT(S) REGARDING PASCACK BROOK FLOOD
IMPROVEMENT PROJECT**

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

WHEREAS, the Legal Department has requested approval of a contract with Resolution Title Agency to file 29 easements regarding Pascack Brook Project; and

WHEREAS, Resolution Title Agency will file these easements with the County Clerk for the sum of \$80.00 each for a total cost of \$2,320.00; and

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

RESOLVED, that the Village Board of Trustees approve the recommendations from the Legal Department to approve the contract of Resolution Title Agency to file 29 Easements regarding Pascack Brook Project for the sum of \$80.00 each for a total cost of \$2,320.00.

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Referral No. 2034

**RESOLUTION NO. 434 OF 2011
APPROVE AGREEMENT BETWEEN THE
DEPARTMENT OF TRANSPORTATION (COMMISSIONER OF D.O.T.) AND
THE VILLAGE OF SPRING VALLEY TO DISBURSE CERTAIN
SUMS FOR THE PAYMENT OF EXPENDITURES RELATING
TO SNOW AND ICE REMOVAL IN THE VILLAGE**

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

WHEREAS, there is a pending agreement between the Department of Transportation and the Village of Spring Valley identified as D009812 dated January 12, 1996; and

WHEREAS, present extensions of that Agreement expired on June 30, 2010; and

WHEREAS, by mutual desire, the parties have now extended that prior Agreement to expire on June 30, 2011; and

WHEREAS, such agreement 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 agree and determine that under the new indexed lump sum estimated payments due to the Village, shall be \$2,723.95 (two thousand seven hundred twenty-three and 95/100 dollars) per lane mile for 12.36 land miles for a total due of \$33,668.00 (thirty-three thousand six hundred sixty-eight and 00/100) for the year 2008/2009 season and for the remainder of the term of the Agreement commencing July 1, 2008 unless changed by future update.

Referral No. 2034

**RESOLUTION NO. 435 OF 2011
APPROVE THE AGREEMENT BETWEEN
THE VILLAGE OF SPRING VALLEY AND “ENHERENT”
TO INSTALL AND IMPLEMENT THE HAND SCANNERS
AT VILLAGE HALL, DEPARTMENT OF PUBLIC WORKS
AND THE LOUIS KURTZ CIVIC CENTER AND
AUTHORIZATION FOR THE MAYOR TO SIGN**

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

WHEREAS, the Village has purchased three Fortinjet hand scanners and requires technical services to install and implement the machines; and

WHEREAS, Police Officer Pete Claussen has located a company “Enherent” which has the technical ability to install and implement the machines at Village Hall, Department of Public Works and the Louis Kurtz Civic Center; and

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WHEREAS, the Legal Department has requested approval of the agreement between “Enherent” and the Village of Spring Valley; and

WHEREAS, the company will perform the services for the sum of \$2,900.00; and

WHEREAS, such agreement 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 approve the agreement between “Enherent” and the Village of Spring Valley for technical services to install and implement the three hand scanners at the Village Hall, Department of Public Works and the Louis Kurtz Civic Center at a cost of \$2,900.00 and authorize the Mayor to sign said agreement.

Referral No. 2034

**RESOLUTION NO. 436 OF 2011
APPROVAL TO TERMINATE THE SERVICES OF CORNERSTONE TELEPHONE
COMPANY, EFFECTIVE AUGUST 13, 2011**

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

WHEREAS, the Village has decided to terminate the services of Cornerstone Telephone Company as of 12:01 a.m., August 13, 2011; and

WHEREAS, such termination 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 approve the termination of Cornerstone Telephone Company as of 12:01 a.m., August 13, 2011.

Referral No. 2034

**RESOLUTION NO. 437 OF 2011
APPROVE THE REQUEST FROM THE SPRING VALLEY
POLICE DEPARTMENT TO UPGRADE THE XEROX MACHINE
IN THE POLICE DEPARTMENT**

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

WHEREAS, the Spring Valley Police Department is requesting an upgrade of the copier machine; and

WHEREAS, a new version of the current copier is available through Xerox through a 60-month lease program; and

WHEREAS, the current lease is approximately \$229/month; and

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WHEREAS, the new machine would cost \$123/month and service calls and ink cartridges at no cost to the Village will continue; and

WHEREAS, parts for the older machine will no longer be available; 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 hereby approve the request from the Spring Valley Police Department to upgrade of the copier machine lease with Xerox for a Xerox 5225 copier through a 60-month lease program, at a cost of \$122.92/month, service calls and ink cartridges at no cost to the Village and authorize the Mayor to sign said agreement.

Referral No. 3000

**RESOLUTION NO. 438 OF 2011
APPROVE THE RECOMMENDATION FROM THE
SPRING VALLEY POLICE DEPARTMENT TO GRANT
A LIQUOR LICENSE RENEWAL APPLICATION
FOR TROPICAL DELICACY RESTAURANT**

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

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license renewal application for Tropical Delicacy Restaurant, located at 80 East Route 59, Spring Valley; and

WHEREAS, the Police Department recommends that the Village Board approve this request; and

WHEREAS, the recommendation is based upon the history of the location and the owner; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the request to approve a liquor license in the Village of Spring Valley; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the recommendation from the Spring Valley Police Department to approve a liquor license renewal application filed for Tropical Delicacy Restaurant, located at 80 East Route 59, Spring Valley, New York.

Referral No. 3037

**RESOLUTION NO. 439 OF 2011
APPROVAL TO ACCEPT AND APPLY FOR
THE 2011 BYRNE JUSTICE ASSISTANCE GRANT**

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

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WHEREAS, the Spring Valley Police Department has requested permission to receive the 2011 Byrne Justice Assistance Grant (Jag); and

WHEREAS, the Spring Valley Police Department is eligible to receive \$20,117 in funding from the 2011 Byrne Justice Assistance Grant (Jag); and

WHEREAS, the funding will be used to deploy additional Police Officers within the community at targeted areas to handle specific violent crime and property crime occurring in the Village; and

WHEREAS, the funding will also be used to further develop the “Youth Police Initiative Program” (YPI); and

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

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from the Spring Valley Police Department to receive the 2011 Byrne Justice Assistance Grant (Jag) in the amount of \$20,117.

Referral No. 2001

**RESOLUTION NO. 440 OF 2011
APPROVE THE INTERNSHIP OF MR. EVENS LOUISME,
A SENIOR STUDENT AT GEORGIA SOUTHERN UNIVERSITY
IN THE SPRING VALLEY POLICE DEPARTMENT**

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

WHEREAS, Evens Louisme has requested approval for an internship with the Spring Valley Police Department; and

WHEREAS, Evens Louisme is from the Spring Valley area and is a student at Georgia Southern University; and

WHEREAS; he is in his senior year and is pursuing a Bachelor Degree in Criminal Justice; and

WHEREAS, he has requested to perform a 50-hour volunteer internship with the Spring Valley Police Department to further develop his career goals; and

WHEREAS, the Police Department has conducted a background investigation on Mr. Louisme and at this time he appears to be a suitable person for an internship; and

WHEREAS, he has signed a liability waiver and Lt. Bosworth has checked with the Binder Agency to insure that he would be covered while riding in a police vehicle; and

WHEREAS, Mr. Louisme will only be observing daily police operations and will not be taking any law enforcement actions; and

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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 hereby grant the request from Mr. Evens Louisme for a 50-hour internship with the Spring Valley Police Department to further develop his career goals with the conditions as stated above.

Referral No. 2089

**RESOLUTION NO. 441 OF 2011
APPROVAL OF THE REQUEST FROM THE VILLAGE ASSESSOR
TO APPLY 50% DISABILITY EXEMPTION FOR 48 LAFAYETTE STREET
TO BE APPLIED TO THE ASSESSED VALUE**

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

WHEREAS, due to submission error by the taxpayer, the appropriate papers were not received in time and the disability exemption was not applied to the assessment; and

WHEREAS, the proper papers have now been submitted to the Assessor; and

WHEREAS, the Assessor is requesting that the 50% exemption be applied to the assessed value; and

WHEREAS, the exemption does not apply to penalties and late fees; and

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

RESOLVED, that the Village Board of Trustees approve the request from the Village Assessor, to apply 50% disability exemption for 48 Lafayette Street, to be applied to the assessed value.

Trustees Report

Economic Development – Trustee Leon – No Report

Fire & Safety – Trustee Gross

Main Street is being built up, new housing being built quickly, should be completed January/February. It is important to be fire safety, small fires with grills on porches. The Police Department has been very busy.

Infrastructure – Trustee Delhomme - Absent

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Youth & Recreation – Deputy Mayor Desmaret

Remember Spring Valley Day, Sunday, August 7, 2011, everyone is invited, we will have vendors, free food, some artists from Haiti and more activities and events.

Referral No. 3026

**RESOLUTION NO. 442 OF 2011
APPROVAL FOR THE CONSENT FOR
SHERRI EISENPRESS TO UTILIZE
THE MEMORIAL PARK FOR A CONCERT**

Deputy Mayor Desmaret offered the following resolution, which was seconded by the entire Board and unanimously adopted:

WHEREAS, Sherri Eisenpress has requested to utilize the Memorial Park for a Concert; and

WHEREAS, the Concert will be held August 27th, 2011 from 5:00 p.m. through 11:00 p.m.; and

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

RESOLVED, that the Village Board of Trustees approve the request from Sherri Eisenpress to utilize the Memorial Park for a Concert, August 27th, 2011 from 5:00 p.m. through 11:00 p.m.

**ADJOURNMENT IN MEMORY OF
JEAN CLAUDE RIVIERRE**

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 Jean Claude Riviere, June 5, 2011.

**ADJOURNMENT IN MEMORY OF
BRUCE RUFFIN**

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 Bruce Ruffin, June 11, 2011.

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**ADJOURNMENT IN MEMORY OF
MINNIE ROGERS**

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 Minnie Rogers, July 9, 2011.

**ADJOURNMENT IN MEMORY OF
SADIE BUCKLEY**

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 Sadie Buckley, July 10, 2011.

**ADJOURNMENT IN MEMORY OF
ASHLEY GHISLAINE JOSEPH**

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 Ashley Ghislaine Joseph., July 3, 2011.

**ADJOURNMENT IN MEMORY OF
JERRY NUGENT**

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 Jerry Nugent, July 16, 2011.

**ADJOURNMENT IN MEMORY OF
CLAIRE KIRMER**

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 Claire Kirmer, July 20, 2011.

July 26, 2011

**RESOLUTION NO. 443 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, August 9, 2011, at eight o'clock in the evening.

Respectfully Submitted,
Sherry M. Scott
Village Clerk
