

August 9, 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, August 9<sup>th</sup>, 2011 at 8:00 pm.

Sherry M. Scott  
Village Clerk

Dated: Spring Valley, New York  
July 27<sup>th</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 July 12<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
Anthony Leon	Trustee
Joseph Gross	Trustee (Absent)
Demeza Delhomme	Trustee
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 Kevin Conway, Village Attorney.

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**Referral No. 2058**

**RESOLUTION NO. 444 OF 2011  
APPROVING MINUTES OF  
JULY 12, 2011  
JULY 26, 2011**

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

RESOLVED, that the transcribed minutes of the Village of Spring Valley meeting held on July 12, 2011 and July 26, 2011 as recorded by the Clerk and presented to the Board are hereby adopted.

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August 9, 2011

**Mayor's Report**

*Presentation to the Village of Spring Valley Youth Basketball, Most Valuable Player, for the Summer Basketball League; Presentation to Harlem Fish & Chips for Sponsoring the T-Shirts for the Summer Basketball League, thank you so much.*

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Referral No. 2059

**RESOLUTION NO. 445 OF 2011  
OPEN PUBLIC PARTICIPATION**

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

**Debate:**

Kathy Latouche, 154 W. Eckerson Road, Spring Valley, NY 10977

My concern is that I read an article in the paper stating that the crime has increased in Spring Valley. Being that has increased I figured there should be an increase in taxes. I would like to know when there will be more officers on the tax roll.

Mayor Jasmin

One little correction, the crime has increased in Rockland County. They interviewed Clarkstown and Spring Valley; of course crime has increased all over. The burden is on us mostly, but what we are going to do is hire officers and we are in the process of hiring. The Board agreed to hire local officers, residents of the Village. We are still looking. They asked for two and we are trying to get four more.

Kathy Latouche

Is there anything you can do about the education in Spring Valley?

Mayor Jasmin

The best thing you can do is to go to their meeting, please go to the School Board.

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Referral No. 2059

**RESOLUTION NO. 446 OF 2011  
CLOSE PUBLIC PARTICIPATION**

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

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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. 2026

**RESOLUTION NO. 447 OF 2011  
CLASSIFY THE POSITION OF  
OFFICE SERVICES AIDE (PART TIME)  
YOUTH BUREAU**

Deputy Mayor Desmaret 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 the Youth Bureau; 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 the Youth Bureau at the Louis Kurtz Civic Center, at a salary of \$14.95 per hour.

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Referral No. 2026

**RESOLUTION NO. 448 OF 2011  
CLASSIFY THE POSITION OF  
OFFICE SERVICES AIDE (FULL TIME)  
YOUTH BUREAU**

Deputy Mayor Desmaret 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, Full Time be classified in the Youth Bureau; 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, Full Time, in the Youth Bureau at the Louis Kurtz Civic Center, at a salary of \$14.95 per hour.

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August 9, 2011

Referral No. 2026

**RESOLUTION NO. 449 OF 2011  
CLASSIFY THE POSITION OF  
COURT ATTENDANT (PART TIME)  
JUSTICE COURT**

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

WHEREAS, Mayor Jasmin is requesting that the position of Court Attendant, Part Time be classified in the Justice Court; 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 Court Attendant, Part Time, in the Justice Court, at a salary of \$20.78 per hour.

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Referral No. 3039

**RESOLUTION NO. 450 OF 2011  
APPROVAL OF INCREASE IN SALARY  
FOR THE VILLAGE CLERK**

The entire Board offered the following resolution, which was seconded by the entire Board and unanimously adopted:

WHEREAS, Mayor Noramie F. Jasmin requested an increase in salary for the Village Clerk, Sherry M. Scott; 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 approves the request from Mayor Noramie F. Jasmin for an increase in salary for the Village Clerk, Sherry M. Scott.

**Debate:**

Sherry Scott, Village Clerk

Mayor, if I may? I would just like to say to the entire Board that I appreciate the support and I will really work very hard to prove myself. Thank you and it is really appreciated.

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Referral No. 2030

**RESOLUTION NO. 451 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 Leon 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 #07262011-2) for the July 26, 2011 Village Board Meeting.

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Referral No. 3029

**RESOLUTION NO. 452 OF 2011  
APPROVE THE REQUEST FROM  
KATHRYN BALL, DEPUTY VILLAGE CLERK,  
TO BUY BACK 41 HOURS  
OF SICK TIME FOR  
JUNE 1, 2010 – MAY 31, 2011 PERIOD**

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

WHEREAS, the Deputy Village Clerk, Kathryn Ball, has 82 hours of unused sick time; and

WHEREAS, she is requesting permission to buy back sick time of 6 days for a total of 41 hours for the June 1, 2010 – May 31, 2011 period; 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, to buy back sick time of 6 days for a total of 41 hours for the June 1, 2010 – May 31, 2011 fiscal pay period.

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Referral No. 2030

**RESOLUTION NO. 453 OF 2011  
AUTHORIZING PAYMENT OF BILLS  
FOR THE VILLAGE OF SPRING VALLEY**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Delhomme 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 #2011/10**

Amount \$124,336.09      Claim #56021443      thru 56021601

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Referral No. 2030

**RESOLUTION NO. 454 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 Delhomme 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

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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.

**POST AUDITED GENERAL ABSTRACT #2011/5**

**DATED:** July 27, 2011

Amount \$562,646.08      Claim #56021374      thru #56021596

**POST AUDITED CAPITAL ABSTRACT #2011/5**

**DATED:** July 27, 2011

Amount \$54.70      Claim #56021554      thru #56021554

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**Referral No. 2030/2064**

**RESOLUTION NO. 455 OF 2011  
AUTHORIZING PAYMENT OF BILLS  
FOR THE VILLAGE OF SPRING VALLEY  
COMMUNITY DEVELOPMENT AND HOUSING**

Trustee Leon 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 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  
SUMMER FEEDING PROGRAM - ABSTRACT #2011/1**

<u>Summer Feeding Program</u>	<u>Claimant</u>	<u>Amount</u>
1	Faith Temple Church (July Meal Supervision at Site)	\$360.00
2	First Baptist Church (July Meal Supervision at Site)	\$150.00

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3	Spring Valley Housing Authority	\$310.00
4	M.L.K. Multi-Purpose Center (July Meal Supervision at Site)	\$360.00
5	St. Joseph's Church (July Meal Supervision at Site)	\$360.00
6	Spring Valley Tenant's Assoc. (July Meal Supervision at Site)	\$360.00
7	CAPROC (July Meal Supervision at Site)	\$360.00
8	Konbit Neg LaKay (July Meal Supervision at Site)	\$180.00
9	Julie Rapaport (July Site Supervision)	\$1,167.75
10	Julie Rapaport (Mileage for July)	\$63.00
11	Nu-Way Concessionaires (Meal Service for July)	\$35,107.08

**Total Summer Feeding Program Abstract for Village Board Approval.....\$38,777.83**

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**Referral No. 2030**

**RESOLUTION NO. 456 OF 2011  
AUTHORIZING PAYMENT OF BILLS  
FOR THE VILLAGE OF SPRING VALLEY  
COMMUNITY DEVELOPMENT AND HOUSING  
ABSTRACT #64 – COUNTYWIDE RESTORE**

Trustee Leon 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 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

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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 ABSTRACTS  
COMMUNITY DEVELOPMENT AND HOUSING  
ABSTRACT #64**

COUNTYWIDE

<u>RESTORE</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
4866	Construction by Allison Emergency Repairs (VC)	\$6,400.00

**Total RESTORE Abstract: \$6,400.00**

**Total Community Development Abstract: \$6,400.00**

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**The next item on the agenda**, Public Hearing – Monsey Lumber Zone Change of a Lot Designated as 50.79-2-15 from R-2 to GB was not heard, the Public Hearing was not opened, all postings and mailings were not reported; therefore the Public Hearing was rescheduled for August 23, 2011.

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**The next item on the agenda**, Public Hearing – Monsey Lumber Zone Special Permit to allow the construction of a 4,000 Sq. Ft. warehouse on lot 50.79-2-15 was not heard, the Public Hearing was not opened, all postings and mailings were not reported; therefore the Public Hearing was rescheduled for August 23, 2011.

**Referral No. 2050**

**RESOLUTION NO. 457 OF 2011  
OPEN PUBLIC HEARING  
TO REPEAL CHAPTER 12 OF THE VILLAGE CODE**

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

RESOLVED, that the public hearing to Repeal Chapter 12 of the Village Code, is hereby open.

**Referral No. 2050**

**RESOLUTION NO. 458 OF 2011  
CLOSE PUBLIC HEARING  
TO REPEAL CHAPTER 12 OF THE VILLAGE CODE**

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

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WHEREAS, there were no speakers on the Public Hearing to Repeal Chapter 12 of the Village Code; now, therefore, it is hereby

RESOLVED, that the public hearing on whether to Repeal Chapter 12 of the Village Code, is hereby closed.

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**Referral No. 2033**

**RESOLUTION NO. 459 OF 2011  
APPROVE THE REQUEST FROM THE LEGAL DEPARTMENT  
TO REPEAL CHAPTER 12 OF THE VILLAGE CODE**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon 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 approve such request; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Legal Department to Repeal Chapter 12 of the Village Code.

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**Referral No. 2036**

**RESOLUTION NO. 460 OF 2011  
APPROVAL OF PROPOSAL FOR SERVICES RELATED  
TO URBAN RENEWAL PLAN**

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

WHEREAS, the Village VHB Engineering Surveying and Landscape Architecture, PC (Saccardi & Schiff) has submitted proposal to amend the Urban Renewal Plan for potential urban renewal changes for the 2 blocks between commerce/Lawrence and Grove Streets on the east and west sides of Main Street and the east side of Jackson Street; and

WHEREAS, the \$10,000.00 is needed as an expenditure; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the amended proposal from the Village VHB Engineering Surveying and Landscape Architecture, PC (Saccardi & Schiff) for the Urban Renewal Plan for potential urban renewal changes for the 2 blocks between Commerce/Lawrence and Grove Streets on the east and west sides of Main Street and the east side of Jackson Street in the amount of \$10,000.00.

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**Referral No. 2037**

**RESOLUTION NO. 461 OF 2011  
APPROVAL TO INDEMNIFY AND DEFEND POLICE OFFICERS  
IN A CASE BASED UPON ACTIONS TAKEN WHILE ACTING  
WITHIN THE SCOPE OF THEIR OFFICIAL DUTIES**

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

WHEREAS, on June 3, 2011 the police received a report of a truck operating erratically; and

WHEREAS, a Police Officer then identified the large commercial vehicle and saw that it was operating erratically; and

WHEREAS, he stopped the vehicle; and

WHEREAS, the operator was slurring his words and appeared lethargic; and

WHEREAS, he presented a medical which had an expired date; and

WHEREAS, the claimant failed field sobriety tests; and

WHEREAS, the claimant was brought to the station house and his vehicle was towed by Rich's Towing; and

WHEREAS, at the Police Station it was determined the claimant was not intoxicated or under the influence of illegal substances; and

WHEREAS, he was released and taken to Good Samaritan Hospital for further testing; and

WHEREAS, the claimant's employer is suing the Village to obtain \$3,000 which is the cost of towing it had to pay to Rich's Towing for release of their truck; and

WHEREAS, it is clear that the Officers were acting responsibly and within the scope of their employment; and

WHEREAS, the Legal Department is recommending that the Village Board agree to defend and indemnify the Officers in this matter; and

**August 9, 2011**

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 alleged by the claimant and his employer from a reported incident dated June 3, 2011.

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**Referral No. 2034**

**RESOLUTION NO. 462 OF 2011**  
**APPROVE THE CONTRACT WITH VERIZON FOR TELEPHONE SERVICES AND**  
**WITH TEL-ONE FOR NEEDED REMEDIAL MAINTENANCE SERVICES**

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

WHEREAS, the Legal Department has notified Cornerstone that their services will be cancelled by the Village; and

WHEREAS, the Village Board needs to approve the contract with Verizon for telephone services and with Tel-One for needed remedial maintenance services; 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 cancel services with Cornerstone and approve the contract with Verizon for telephone services and with Tel-One for needed remedial maintenance services.

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**Referral No. 2034**

**RESOLUTION NO. 463 OF 2011**  
**APPROVAL OF CELL PHONE SERVICE**  
**CONTRACT WITH SPRINT WHICH IS ON A MONTH-TO-MONTH BASIS**

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

WHEREAS, a local Sprint dealer has been found who can provide cell phone service for about \$500 per month cheaper than Verizon; and

WHEREAS, Board approval is needed to enter into this contract; and

WHEREAS, the contract is month to month so that if the Village is dissatisfied with the service, the Village can cancel; and

WHEREAS, the Legal Department is requesting that the Village contract with a local Sprint dealer for cell services; and

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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 approves the recommendations from the Legal Department to contract with Sprint for cell phone services for about \$500 per month cheaper than Verizon on a month to month basis.

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**Referral No. 2037**

**RESOLUTION NO. 464 OF 2011  
APPROVAL TO INDEMNIFY AND DEFEND DETECTIVES  
AND POLICE OFFICERS IN A CASE BASED UPON ACTIONS  
TAKEN WHILE ACTING WITHIN THE SCOPE OF THEIR OFFICIAL DUTIES  
FROM A REPORTED INCIDENT DATED JANUARY 6, 2010**

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

WHEREAS, a claimant has filed a lawsuit against the Village and Officers arising out of an incident which occurred January 6, 2010; and

WHEREAS, the Legal Department feel that after careful review, 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 January 6, 2010.

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**Referral No. 3029**

**RESOLUTION NO. 465 OF 2011  
APPROVE THE REQUEST FROM MANNY CARMONA,  
DEPUTY BUILDING INSPECTOR,  
TO CARRY OVER 38 HOURS OF VACATION  
LEAVE INTO THE NEXT ANNIVERSARY YEAR**

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

WHEREAS, Manny Carmona, Deputy Building Inspector, has requested to carry over 38 hours of vacation leave into the next anniversary year; and

WHEREAS, Manny Carmona was unable to take vacation leave due to the workload in the Department; and

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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 approves the request from Manny Carmona, Deputy Building Inspector, to carry over 38 hours of vacation leave into the next anniversary year.

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**Trustee Reports**

**Economic Development – Trustee Leon – *No Report***

**Fire & Safety – Trustee Gross – *Absent***

**Infrastructure – Trustee Delhomme – *Made a request for both Building Inspectors and Deputy Building Inspector to attend the next Village Board Workshop.***

**Youth & Recreation – Deputy Mayor Desmaret – *No Report – Made remarks which are not part of the records.***

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**Referral No. 2032**

**RESOLUTION NO. 466 OF 2011  
APPROVAL TO REFUND 7 FOX LANE \$142.96,  
BALANCE TO MR. HAMMER FROM 2010 TAX YEAR**

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

WHEREAS, Mr. Hammer grieved his taxes last February; and

WHEREAS, a correction of errors was prepared and approved by the board of Trustees on July 26<sup>th</sup> for a refund of \$190.61; and

WHEREAS, the full refund was miscalculated; and

WHEREAS, the full refund should have been \$333.57; and

WHEREAS, the Village Assessor, Laurence Holland, is requesting authorization for the Village Treasurer to refund the difference of \$142.96 to Mr. Hammer, 7 Fox Lane, to complete this transaction; 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 approves the request from the Village Assessor, Laurence Holland, authorization for the Village Treasurer to refund the difference of \$142.96 to Mr. Hammer, 7 Fox Lane to correct an error grieved last February on Mr. Hammer's taxes.

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August 9, 2011

Referral No. 2032

**RESOLUTION NO. 467 OF 2011  
APPROVAL OF REFUND IN THE AMOUNT OF \$5,559.48  
FOR LOT NO. 857.23-1-25, 146 N. MAIN STREET, SPRING VALLEY**

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

WHEREAS, the Village Assessor, Laurence Holland, is recommending that a refund of \$5,559.48, 146 North Main Street, as overpayment be made to the owner; and

WHEREAS, the taxpayer came before the BOT on grievance night on February 15, 2011 and had the assessment on 57.23-1-25 reduced to \$79,500; and

WHEREAS, the taxpayer had been advised previously to disclaim the "857" lot and merge into one lot; and

WHEREAS, the lot was not merged into one lot before the end of the taxable valuation year, December 31, 2010; and

WHEREAS, the assessed value for the properties was listed as \$79,500 for 57.23-1-25 and \$25,000 for 857.23-1-25; and

WHEREAS, the taxes for both properties have been paid; and

WHEREAS, the lot line disclaimer has been received by the Assessor; and

WHEREAS, the Assessor is recommending that a refund of \$5,559.48 for 857.23-1-25 as overpayment be made to the owner; 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 Village Assessor, Laurence Holland, to refund \$5,559.48 for lot 857.23-1-25, 146 North Main Street, Spring Valley, NY, as overpayment to the owner.

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Referral No. 2032

**RESOLUTION NO. 468 OF 2011  
APPROVAL OF REFUND IN THE AMOUNT OF  
\$36,025.42 TO L&M SPRING VALLEY,  
FOR 15 SUMMIT AVENUE, LOT NO. 57.53-1-2**

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

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WHEREAS, the Village Assessor, Laurence Holland, is requesting that the Board approve the correction of error and direct the Treasurer to send the overpayment to L&M, 15 Summit Avenue, Lot 57.53-1-2; and

WHEREAS, 15 Summit Avenue, Lot 57.53-1-2 has been a PILOT since 2002; and

WHEREAS, the exemption must be manually updated; and

WHEREAS, the exemption was not updated due to a clerical error; and

WHEREAS, the property owner was overcharged for 2011 tax cycle; and

WHEREAS, the over payment amount is \$36,025.42; 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 Village Assessor, Laurence Holland, to refund L&M Spring Valley, a PILOT since 2002, 15 Summit Avenue, Lot 57.53-1-2, overpayment in the amount of \$36,025.42.

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**Referral No. 2034**

**RESOLUTION NO. 469 OF 2011  
PRELIMINARY APPRAISAL AUTHORIZATION  
IN THE AMOUNT OF \$1,750 FOR 2 SOUTH CENTRAL AVENUE  
(PLANET WINGS), LOT NO. 57.56-2-16**

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

WHEREAS, the Village Assessor, Laurence Holland, has requested authorization to have Jones and Associates, Inc. prepare a preliminary appraisal of the 2 South Central Avenue, Planet Wings, Lot 57.56-2-16; and

WHEREAS, the tax years under review are 2007 and 2010; and

WHEREAS, the fee for the preliminary appraisal is \$1,750; 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 approves the request from the Village Assessor, Laurence Holland, to have Jones and Associates, Inc. prepare a preliminary appraisal of the 2 South Central Avenue, Planet Wings, Lot 57.56-2-16 at a cost of \$1,750.00, for tax years 2007 and 2010.

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Referral No. 2034

**RESOLUTION NO. 470 OF 2011  
APPROVAL OF RESOLUTION FOR THE  
DEVELOPMENT OF THE PROJECT KNOWN  
AS SPRING VALLEY COMMONS**

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

WHEREAS, the Village Board for the Village of Spring Valley by passing this resolution provides its support for the development of the project known as Spring Valley Commons affordable housing to create affordable or low income housing by the developer known as Spring Valley Commons and HASCO, a local non-profit which currently contracts with OMRDD to provide services for the developmentally disabled for residential housing placements; and

WHEREAS, the developer has received zoning variances and site plan approvals to construct two buildings containing sixty four (64) two-bedroom units of affordable family residential housing to be located on Rose Avenue; and

WHEREAS, the two buildings will be four stories each with elevator service, laundry room and a community room serving both buildings; and

WHEREAS, the project includes fully adapted handicap accessible units with all units to be rented to households with a combined total income at or below 60% of area median income (AMI) of Rockland County with all rents at below published Fair Market Rent (FMR) levels; and

WHEREAS, ten of the units are to be reserved for families with a developmentally disabled member; and

WHEREAS, Village Board approval is required for such request; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request to approve this resolution for the Development of the Project known as Spring Valley Commons.

The Vote was as follows:

AYES: 3 – Jasmin, Desmaret, Delhomme

ABSTAIN: 1-Leon

ABSENT: 1-Gross

Referral No. 3064

**RESOLUTION NO. 471 OF 2011  
APPROVE THE REQUEST TO RE-BID  
THE MARTIN LUTHER KING CENTER ROOF PROJECT**

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

WHEREAS, there was no company bid on the Martin Luther King Roof Project; and

August 9, 2011

WHEREAS, the Legal Department requested to reschedule the bid; and

WHEREAS: the Legal Department spoke to a company who submitted a proposal in December 2010, which is exactly what is necessary; and

WHEREAS, they failed to receive the bid package; and

WHEREAS, they will bid next time; and

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

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the recommendation from the Legal Department to re-bid the Martin Luther King Roof Project.

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**Mayor Jasmin**

*Thank you to everyone who participated in the Annual Spring Valley Day, the Trustees who participated, elected officials, organizations, businesses and all volunteers. Diversity was shown and we are now planning for next year. This is one event that brings togetherness in our Community.*

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**ADJOURNMENT IN MEMORY OF  
NINA VALENTINOVNA BOLDYREFF**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Nina Valentinovna Boldyreff, July 8, 2011.

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**ADJOURNMENT IN MEMORY OF  
LUCILLE MAY IRONS**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Lucille May Irons, July 8, 2011.

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**ADJOURNMENT IN MEMORY OF  
DOUGLAS BERNARD JOHNSON**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

August 9, 2011

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Douglas Bernard Johnson, July 12, 2011.

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**ADJOURNMENT IN MEMORY OF  
ROLLIN S. ALEXIS**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Rollin S. Alexis, July 21, 2011.

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**ADJOURNMENT IN MEMORY OF  
ROSLYNE JOSEPH**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Roslyne Joseph., July 22, 2011.

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**ADJOURNMENT IN MEMORY OF  
PELAGIA TSCHERNIAWSKI**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Pelagia Tscherniawski, July 23, 2011.

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**ADJOURNMENT IN MEMORY OF  
ERICK LIZ**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Erick Liz, July 24, 2011.

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August 9, 2011

**ADJOURNMENT IN MEMORY OF  
SCOTT LEON**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Scott Leon, July 25, 2011.

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**ADJOURNMENT IN MEMORY OF  
FRANCIS LEE**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Francis Lee, July 26, 2011.

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**ADJOURNMENT IN MEMORY OF  
GERARD PAGEOT**

Trustee Delhomme offered the following memorial, which was seconded by Deputy Mayor Desmaret and Trustee Leon and unanimously approved:

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Gerard Pageot, August 6, 2011.

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**RESOLUTION NO. 472 OF 2011  
ADJOURNMENT**

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

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, August 23, 2011, at eight o'clock in the evening.

Respectfully Submitted,  
Sherry M. Scott  
Village Clerk

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