

January 25, 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, January 25, 2011 at 8:00 pm.

Sherry M. Scott
Village Clerk

Dated: Spring Valley, New York
January 16, 2010

**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 January 11, 2011 meeting.

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

Noramie N. Jasmin	Mayor
Joseph A. Desmaret	Deputy Mayor
Anthony Leon	Trustee
Joseph Gross	Trustee (Arrived Late)
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 Trustee Delhomme.

Referral No. 2059

**RESOLUTION NO. 56 OF 2011
OPEN PUBLIC PARTICIPATION**

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

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

RESOLVED, that participants addressed the Board and participated in this portion of the meeting:

Debate:

Sherry McGill, Vice President; Beverly Watson, Secretary and Sherry Scott, Treasurer and Commissioner of Cheer, Spring Valley, NY- Representing Ramapo/Spring Valley Midget Football League

To the Honorable Mayor Jasmin and the Board of Trustees, Mayor on behalf of the Ramapo/Spring Valley Midget Football League we would like to express our appreciation and gratitude towards everything that you all do. We appreciate you supporting our football league over the years, especially Mayor Jasmin, I have to say thank you from the bottom of my heart for everything you do for the youth of our community. We would like to extend our thanks by presenting you with a plaque. It says, "Ramapo Midget Football, Mayor Noramie Jasmin, Spring Valley, NY In Appreciation for the Dedication and Friendship you have given to the Ramapo Football Organization, The Staff and Children Salute You, 2010".

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Mayor Jasmin

Thank you so much. I really thank all of you with all of my heart. I always say that the youth are the future of our community. I like to keep them busy and express to them the importance of education, etc. I will always be there for them. I say to all of you, you have been an extension of my administration. You work with the community tirelessly and I thank you for that and tonight I will say this and I say this to all of you that I will continue my efforts to support the Ramapo Midget Football, you can always count on me.

Trustee Leon

I would like to take a moment to thank you and congratulate you on behalf of the Board of Trustees. We see that not too often, this Board and this Mayor has been given awards all over the place and sometimes never receive anything in return. I congratulate you Madam Mayor. I thank the Ramapo Midget Football League for your gesture.

Trustee Delhomme

I want to acknowledge the appointment of the Senator and the President of the Community (Inaudible).

Ms. Ledger, 95 S. Middletown Road, Nanuet, NY 10954

I am here as a representative of Senator David Carlucci and I am here because I am the Haitian African American outreach person. It is appropriate that I come and introduce myself to the Board and let you know that we are here to help in any way that we can and provide support.

Mayor Jasmin

Congratulations and I am very proud of you. You will be hearing from us soon.

Widmax Fils Aime, 50 North Main Street, Spring Valley, NY 10977

I have a restaurant and clothing store in Spring Valley. I am from Harlem and I came here to do business. I have been doing a licensed business here for the past 10 years. I have had a small restaurant for about 3 years. I am confused about the Building Department and Police Department. I have a small restaurant where I sometimes rent for private parties. The Building Department sometimes come and ask for the code. I wasn't able to get it. I know where he is coming from, I have read the papers. I see the Spanish bars and other bars and I see where you are going. It is a great idea you have come up with where they have to come in and fill out an application and pay \$100.00. It is a good thing, but at times it is not good for everybody. It is really tough in Spring Valley to maintain a business. Right now I am working with my attorney to get a beer and wine license.

Mayor Jasmin

That is what I was going to ask you what kind of permit you have to function in your business and what type of business you have. You stated you had either or bar or restaurant. Sometimes you just don't function as a restaurant, but some of the things require additional licenses. If you have weddings, dancing, communion those types of things, you need a cabaret license that we do not issue (inaudible). Another thing that you may have is a liquor license and that you have to apply for. There are certain things that we cannot allow you to do as a business because we have to follow the rules and regulations of the Village. I am happy to see that you have an attorney to work with you to help you get the proper licenses. This is not only for you, but for all the businesses. This is not only for Spring Valley, but Nation-wide.

Widmax Fils Aime, 50 North Main Street, Spring Valley, NY 10977

My issue is that I can go to a Spanish bar who is operating without nothing. It gets me confused. Is this a community where the law is meant for everybody or just one type of people?

Mayor Jasmin

No, as a matter of fact we have one item on this agenda for a liquor license approval to deny the license in the Village. We have to have certain standards in our community to approve certain things. We do have rules and they have to comply. If they do not comply they are not going to be operating in our Village. I would suggest that you focus on your business. You have a lawyer, so make sure you operate legally within the Village. As far as the Building Department if you need assistant, you can come in and make an appointment so that I can see what types of issues you are having with the Building Department. If I can be of any help to you, I will.

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Trustee Delhomme

I think that is the right thing to do, have him come in so you can discuss that with him. I understand your issue very well. I ate there one time, it is a good nice clean restaurant. So come back to see the Mayor and our Lawyers and tell them exactly what you want and you will receive proper guidance.

Referral No. 2059

**RESOLUTION NO. 57 OF 2011
CLOSE PUBLIC PARTICIPATION**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon 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. 2001

**RESOLUTION NO. 58 OF 2011
APPOINT SIMEON NAEMIT TO THE POSITION
OF COURT ATTENDANT (PART-TIME)**

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

WHEREAS, Mayor Jasmin pointed Simeon Naemit to the position of Court Attendant (Part-Time) in the Justice Court; 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 appoint Simeon Naemit to the position of Court Attendant (Part-Time) in the Justice Court, at a salary of \$20.37 per hour, effective immediately.

Referral No. 2028

**RESOLUTION NO. 59 OF 2011
ESTABLISH THE POSITION OF
RECEPTIONIST-TYPIST IN THE OFFICE
OF HOUSING AND COMMUNITY DEVELOPMENT**

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

WHEREAS, the Office of Housing and Community Development is requesting that the position of Receptionist-Typist be established: and

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

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RESOLVED, that the Village of Spring Valley Board of Trustees hereby approve the request to establish the position of Receptionist-Typist in the Office of Housing and Community Development.

Referral No. 2063

**RESOLUTION NO. 60 OF 2011
PROMOTE MILAGROS GUZMAN TO
THE POSITION OF DATA ENTRY OPERATOR I
IN THE JUSTICE COURT**

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

WHEREAS, the Justice Court Clerk has made a requested for a promotion for Milagros Guzman; and

WHEREAS, the Mayor Noramie F. Jasmin has appointed Milagros Guzman to the position of Data Entry Operator I; 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 promotion for Milagros Guzman to the position of Data Entry Operator I in the Justice Court, at a salary of \$16.19 per hour, effective immediately, Control #35042.

Referral No. 2025

**RESOLUTION NO. 61 OF 2011
ACCEPT THE RESIGNATION OF TOSHIA LEWIS,
LEGISLATIVE AIDE IN THE OFFICE OF THE VILLAGE CLERK**

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

WHEREAS, Toshia Lewis resigned from the position of Legislative Aide in the Office of the Village Clerk; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby accepts the resignation of Toshia Lewis from the position of Legislative Aide in the Office of the Village Clerk, effective January 28, 2011.

Debate:

Mayor Jasmin

Toshia was very efficient and effective in the Office of the Village Clerk. I wish her the best in her future endeavors.

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Referral No. 2030

**RESOLUTION NO. 62 OF 2011
APPROVE PAYMENT TO DAINDE LAPLANTE
RECORDED THE VILLAGE OF SPRING VALLEY BOARD MEETING**

Deputy Mayor Desmaret 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 #1-11/2011) for the January 11, 2011 Village Board Meeting.

Referral No. 2032

**RESOLUTION NO. 63 OF 2011
APPROVE THE REQUEST FROM WEINBERG FOR
JUSTICE COMMITTEE FOR A REFUND FOR A POLITICAL SIGN PERMIT**

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

WHEREAS, the Village Clerk has requested a refund for a permit holder to receive their refund; and

WHEREAS, it is necessary for the Village of Spring Valley, Board of Trustees to approve the reimbursement to Weinberg for Justice Committee; now therefore it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from the Village Clerk to reimburse Weinberg for Justice Committee for the refund for the political sign permit, in the amount of \$100.00, and be it further

RESOLVED, that the applicant has complied with all rules and regulations as well as said ordinances per the inspection by the Deputy Building Inspector, Manny Carmona.

Referral No. 2032

**RESOLUTION NO. 64 OF 2011
APPROVE THE REQUEST TO REFUND TALMUD TAOAH BBOV
\$1000.00 RETAINER FEE FOR 49 SOUTH MAIN STREET
SPRING VALLEY, NEW YORK**

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

WHEREAS, the Village Clerk has requested a refund for a retainer fee for the project of Talmud Torah Bobov, 49 South Main Street, Spring Valley, New York; and

WHEREAS, it is necessary for the Village of Spring Valley, Board of Trustees to approve the request of a retainer fee; 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 Village Clerk to reimburse Talmud Torah Bobov, 49 South Main Street, Spring Valley, New York for a retainer fee in the amount of \$1000.00

Referral No. 2030

**RESOLUTION NO. 65 OF 2011
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY**

Trustee Delhomme 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 2010/2011 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: January 21, 2011

GENERAL ABSTRACT #2010/32

Amount \$364,159.99 Claim #56019646 thru 56019721

Referral No. 2030

**RESOLUTION NO. 66 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 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 2010/2011 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 #2010/12

DATED: January 21, 2011

Amount \$519,615.10 Claim #56019614 thru #56019683

POST AUDITED CAPITAL ABSTRACT

Amount \$106,098.46 Claim #56019594 thru #56019665

Referral No. 3029

**RESOLUTION NO. 27 OF 2011
GRANT PERMISSION FOR MARY J. RHODES,
DEPUTY TREASURER, TO CARRY OVER NINETY-EIGHT (98)
HOURS OF VACATION TIME FROM THE YEAR 2010 TO 2011**

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

WHEREAS, Mary J. Rhodes, Deputy Treasurer has requested to roll over ninety-eight (98) Hours of vacation time from 2010 to 2011; and.

WHEREAS, Mayor Noramie Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed the request from Mary J. Rhodes to roll over ninety-eight (98) hours of vacation time; and.

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

RESOLVED, the Village of Spring Valley Board of Trustees hereby approves the request from Mary J. Rhodes, Deputy Treasurer, to roll over ninety-eight (98) hours of vacation time from the year 2010 to 2011.

Referral No. 2034/3039

**RESOLUTION NO. 67 OF 2011
APPROVE THE PROPOSAL FROM
MORGAN STANLEY SMITH BARNEY**

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

WHEREAS, the Mayor and the Village Board has reviewed the proposal from Morgan Stanley Smith Barney; and

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WHEREAS, Morgan Stanley Smith Barney has proposed to save the Village \$2,062.50; and

WHEREAS, Morgan Stanley Smith Barney has requested that the Village accept their proposal; 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 Morgan Stanley Smith Barney to accept their proposal.

Referral No. 2030/3007

**RESOLUTION NO. 68 OF 2011
APPROVAL OF ABSTRACT #536
SECTION 8**

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

WHEREAS, the Village of Spring Valley Section 8 Department had made certain expenditures; 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 Section 8 Department totaling \$3,030.20, set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

<u>Program</u>	<u>Claimant</u>	<u>Amount</u>
5125	Tenant Tracker – Invoice #307244	\$ 50.00
5126	Barrett CPA – November 2010 VMS submission; REAC System access issues and preparation for past REAC submissions; bookkeeper questions	2,580.00
5127	Deluxe for Business – invoice #2019093297	400.20
Total Section 8 Program Abstract for Village Board Approval		<u>\$ 3,030.20</u>

Referral No. 2039

**RESOLUTION NO. 69 OF 2011
APPROVAL OF THE ACCEPTANCE OF THE
LOWEST BID FOR THE MEMORIAL PARK 2, FENCING**

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

WHEREAS, the Village is working on the third and final phase of Memorial Park Phase 2 project; and

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WHEREAS, the Village has gone out for bid for fencing at memorial Park; and

WHEREAS, the bid has been reviewed for form by the Legal Department and found the bid to Be in order; and

WHEREAS, John Longo of Ward Associates, P.C. has reviewed the bids and recommend that the Village accept the lowest bid; 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 to accept the lowest bid for fencing at Memorial Park and award of the General Construction Contract to Yaboo Fence Co., Inc., 95 West Nyack Road, West Nyack, NY 10994 in the amount of \$70,375.00.

Referral No. 2033

**RESOLUTION NO. 70 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
TO ADOPT A LOCAL LAW TO MAKE CHANGES TO CHAPTER 71,
ADD CERTAIN DEFINITIONS AND CHANGES THE PENALTIES FOR
FAILING TO LICENSE A DOG, CHANGES IN LICENSE FEES,
CHAPTER 118, DOG VACCINATIONS AGAINST RABIES AND
THE VILLAGE ISSUING YEARLY LICENSES**

Deputy mayor Desmaret 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 adopt a Local Law to make changes to Chapter 71, add certain definitions and changes the penalties for failing to license a dog, changes in license fees, Chapter 118, dog vaccinations against rabies and the Village issuing yearly licenses; now, therefore, it is

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, February 15, 2011 at 8:15 pm, to adopt a Local Law to make changes to Chapter 71, add certain definitions and changes the penalties for failing to license a dog, changes in license fees, Chapter 118, dog vaccinations against rabies and the Village issuing yearly licenses.

(Please note this Public Hearing was previously set for January 25, 2011, but the publishing did not go out and the Public Hearing had to be reset for February 15, 2011)

Referral No. 2033

**RESOLUTION NO. 71 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
TO ADOPT A LOCAL LAW FOR CHANGES TO CHAPTER 118,
FEES SET FORTH THE FEES FOR
NEUTERED DOGS AND UNNEUTERED DOGS, MALE AND
FEMALE AND HOW MUCH OF THE FEE GOES TO NEW YORK STATE**

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

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WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to set a date for a public hearing to adopt a Local Law for changes to Chapter 118, fees set forth the fees for neutered dogs and unneutered dogs, male and female and how much of the fee goes to New York State; now, therefore, it is hereby

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, February 15, 2011 at 8:15 pm, to adopt a Local Law for changes to Chapter 118, fees set forth the fees for neutered dogs and unneutered dogs, male and female and how much of the fee goes to New York State.

(Please note this Public Hearing was previously set for January 25, 2011, but the publishing did not go out and the Public Hearing had to be reset for February 15, 2011)

Referral No. 2033

**RESOLUTION NO. 72 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
TO ADOPT A LOCAL LAW TO AMEND CHAPTER 183,
PEDDLERS AND SOLICITORS LICENSES**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Leon 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 adopt a Local Law to amend Chapter 183, peddlers and solicitors licenses; now, therefore, it is hereby

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, February 15, 2011 at 8:15 pm, to adopt a Local Law to amend Chapter 183, peddlers and solicitors licenses.

(Please note this Public Hearing was previously set for January 25, 2011, but the publishing did not go out and the Public Hearing had to be reset for February 15, 2011)

Referral No. 2033

**RESOLUTION NO. 73 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
WHETHER TO ISSUE A SPECIAL PERMIT TO BUILDING IN
THE FLOODPLAIN, CONG. BELZER SHTIEBEL**

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

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to set a date for a public hearing on whether to issue a special permit to building in the floodplain, Cong. Belzer Schtiebel; now, therefore, it is hereby

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, February 15, 2011 at 8:15 pm, on whether to issue a special permit to building in the floodplain, Cong. Belzer Schtiebel.

(Please note this Public Hearing was previously set for January 25, 2011, but the publishing did not go out and the Public Hearing had to be reset for February 15, 2011)

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Referral No. 3032

**RESOLUTION NO. 74 OF 2011
APPROVE THE RECOMMENDATION FROM THE
SPRING VALLEY POLICE DEPARTMENT TO DENY THE LIQUOR LICENSE
RENEWAL APPLICATION FOR MAMMA'S PIZZA AND RESTAURANT**

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

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license renewal application for Mamma's Pizza and Restaurant, located at 55D North Myrtle Avenue, Spring Valley; and

WHEREAS, the Police Department recommends that the Village Board deny this request at this time; and

WHEREAS, the recommendation is based upon the fact that this establishment was cited during investigations in both 2008 and 2009 for selling alcohol to minors; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the request to deny 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 deny a liquor license renewal application filed for Mamma's Pizza and Restaurant, located at 55D North Myrtle Avenue, Spring Valley.

Referral No. 2037

**RESOLUTION NO. 75 OF 2011
APPROVE THE REQUEST FROM CHIEF PAUL MODICA
TO USE \$2000.00 FROM "ASSET FORFEITURE" ACCOUNT**

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

WHEREAS, Chief Paul Modica is requesting to use \$2000.00 from the "Asset Forfeiture" account; and

WHEREAS, the funds will be reimbursed by the Rockland County District Attorney's Office; and

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

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the recommendation from Chief Paul Modica to use \$2000.00 from the "Asset Forfeiture" account, to be reimbursed by the Rockland County District Attorney's Office.

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Referral No. 2083

**RESOLUTION NO. 76 OF 2011
APPROVE THE REQUEST FROM BERNARD CHARLES,
DIRECTOR OF PARKS AND RECREATION, TO REFUND
NEW LIFE ASSEMBLY OF GOD**

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

WHEREAS, Bernard Charles, Director of Parks and Recreation has requested a refund for New Life Assembly of God, Receipt #4836; and

WHEREAS, New Life Assembly of God has adhered to all the rules and regulations regarding issuance of the permits; and

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

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from Bernard Charles, Director of Parks and Recreation to refund New Life Assembly of God \$500.00 deposit, receipt #4836.

Referral No. 2043

**RESOLUTION NO. 77 OF 2011
APPROVE THE REQUEST FROM THE MARTIN LUTHER
KING MULTI PURPOSE CENTER FOR A PERMIT IN
MEMORIAL PARK FOR A WALK-A-THON**

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

WHEREAS, the Martin Luther King Multi Purpose Center has requested to have a walk-a-thon in Memorial Park on Saturday, May 7, 2011 from 8:00 a.m. – 2:00 p.m.; and

WHEREAS, there will be 100-150 participants; and

WHEREAS, the Martin Luther King Multi Purpose Center has requested the use of the Seth Joyner Athletic Field; and

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

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from the Martin Luther King Multi Purpose Center for a permit in memorial Park for a Walk-A-Thon on Saturday, May 7, 2011 in the Seth Joyner Athletic Field from 8:00 a.m. – 2:00 p.m. for 100 -150 participants.

Referral No. 2034

**RESOLUTION NO. 78 OF 2011
APPROVE THE PROPOSED CELL TOWER
CONTRACT WITH AT&T CINGULAR WIRELESS**

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

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WHEREAS, AT&T/Cingular Wireless has proposed a cell tower contract with the Village of Spring Valley; and

WHEREAS, the tower will constructed behind Village Hall near the Police Department section of the building; and

WHEREAS, the contract calls for rent of \$2,500 per month for the first 5 years and increases of 8% for additional 5 year period; and

WHEREAS, the full yearly rent will be paid up front; and

WHEREAS, approval of the Village of Spring Valley Board of Trustees is required for this contract agreement; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves request from AT&T Cingular Wireless to construct a cell tower behind Village Hall near the Police Department section of the building; and be it further

RESOLVED, that the contract for rent will be \$2,500 per month for the first 5 years and increases of 8% additional for 5 years period and the full yearly rent will be paid up front. (A copy of the contract will be filed in the Office of the Village Clerk for review)

Referral No. 2030

**RESOLUTION NO. 79 OF 2011
APPROVAL OF PAYMENT TO
RUSCIANO APPRAISERS & CONSULTANT, INC.**

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

WHEREAS, the Village has received invoices from Rusciano Appraisers & Consultants; and

WHEREAS, the invoices are for fixture appraisal work done on four businesses; and

WHEREAS, the bills are dated August 27, 2010 and September 7, 2010; and

WHEREAS, Rita Grayson and Hiscock & Barclay advise that the work was done and bills are in order; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the payment of the bills; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approves the request from Rusciano Appraisers & Consultants to pay invoices dated August 27, 2010 and September 7, 2010 for fixture appraisal work done on four business; and be it further

RESOLVED, that Rita Grayson and Hiscock & Barclay advise that the work was done and the bills are in order.

Referral No. 2034

**RESOLUTION NO. 80 OF 2010
DECLARING PARCELS NOT NEEDED FOR PUBLIC PURPOSE
AND AUTHORIZING THEIR SALE TO RT 45 LLC**

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

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WHEREAS, the Village of Spring Valley has adopted an Urban Renewal Plan for the downtown area of the Village of Spring Valley; and

WHEREAS, the Village Board of Trustees recently accepted RT 45 LLC as the developer of an area designated by the Village as Site 1 and the Village and the said developer have agreed to be bound by all the provisions set forth in the DEVELOPMENT AGREEMENT between the Village of Spring Valley and COLE DEVELOPMENT CORP. dated January 1, 2006; and

WHEREAS, pursuant to that AGREEMENT the Village obtained title to three lots situated within Site 1 which bear the tax designations of 57.31-2-8 (100 North Main Street); 57.23-1-53 (128 -130 North Main Street); and 47.23-1-52 (132 North Main Street); and

WHEREAS, pursuant to that AGREEMENT the Village obtained title to those properties to the Developer, RT 45 LLC upon the receipt of payment of the following sums:

100 North Main Street	\$284,000.00
128-130 North Main Street	\$200,000.00 and
130 North Main Street	<u>\$510,000.00</u>
Total	\$994,000.00 and

WHEREAS, the said lots are not needed for a public purpose, now, therefore, it is hereby

RESOLVED, the Village of Spring Valley Board of Trustees declares that the afore described lots are not needed for a public purpose and authorizes Mayor Noramie Jasmin to deed the said lots upon payment of the sums set forth above and, further, authorizes the Mayor to sign all other documents necessary to effect the sale of said lots to RT 45 LLC.

Referral No. 2083

**RESOLUTION NO. 81 OF 2011
APPROVE THE REQUEST FROM THE TAX ASSESSOR
TO ENTER SETTLEMENT OF TAX GRIEVANCE MATTERS**

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

WHEREAS, the Tax Assessor, Laurence Holland has requested the approval to settle the certiorari petition for a refund on over-assessment for Spring 59 Associates (Food World), 57.65-1-27 for tax years 2002 and 2010; and

WHEREAS, the current Assessed Value on the property is \$1,174,270 which equates to a current equalized value of \$16,969,219 in 2010; and

WHEREAS, the property is freestanding food stores with retail stores, and

WHEREAS, in tax year 2010, the Assessed value will be reduced to \$469,966 and will be frozen for three years; and

WHEREAS, the Tax Assessor, has requested the approval to settle the certiorari petition for a refund on over-assessment for Super Value Inc. , 68 East Route 59, 57.65-1-11 for tax years 2002 - 2009; and

WHEREAS, the current Assessed Value on the property is \$143,500 which equates to a current equalized value of \$2,073,699 in 2010; and

WHEREAS, the property is a gas station and convenience store, and

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WHEREAS, in tax year 2010, the Assessed value will be reduced to \$87,806 and will be frozen for three years; and

WHEREAS, the Tax Assessor, has requested the approval to cancel the Rockland Hebrew Center (485 Viola Road) for non-payment for tax year 2008 due to a court ordered reduction, the property is tax exempt for tax years 2007-2009, for religious purposes; and

WHEREAS, the Tax Assessor is requesting authorization from the Board to remove this parcel from the taxable roll for an amount totaling \$4,119.35 for tax year 2008; and

WHEREAS, the Tax Assessor, has requested the approval to settle the certiorari petition for a refund on over-assessment for Dutch Lane Realty Corp (2 Dutch Lane), 57.48-2-1 for tax years 2007 - 2010; and

WHEREAS, the current Assessed Value on the property is \$407,300 which equates to a current equalized value of \$5,885,838 in 2010; and

WHEREAS, the property is a 100 unit apartment building, and

WHEREAS, in tax year 2010, the Assessed value will be reduced to \$339,080 which equates to an equalized value of \$4,900,000 and will be frozen for three years; and

WHEREAS, the proper owner of 28 Wolfe Drive, 57.53-1-32, was denied a reduction in assessment during 2010 grievance period; and

WHEREAS, the property owner took out a small claims grievance against the Village; and

WHEREAS, the property is a semi-attached one family residence; and

WHEREAS, in order to expedite the process and avoid court costs/time, a stipulated settlement was reached with the owner, subject to approval by the Board; and

WHEREAS, the reductions will result in refunds for taxes paid in the amount of \$1,313.67 in 2010; and

WHEREAS, the Tax Assessor, has requested the approval to settle the certiorari petition for a refund Valley View Gardens, 1-11 Secora Road, 56.68-1-7; and

WHEREAS, this property comprises three tax lots, Section: 56.68, bloc: 1, Lots 1, 2 and 7; and

WHEREAS, certiorari petitions were filed in two separate actions; and

WHEREAS, the initial petition was for 56.68-1-1 and 56.68-1-7; and

WHEREAS a memo for payment of over-assessment for both lots was submitted on October 26, 2010; and

WHEREAS, only one memo for payment was signed and stamped (for Lot 1 only); and

WHEREAS, an approval for Lot 7 will have to be approved by the Village Board; and

WHEREAS, the Village has received a court order to make payment for a refund of \$46,481; and

WHEREAS, such request require the approval of the Village Board of Trustees; now therefore be it

RESOLVED, that the Village Board of Trustees of the Village of Spring Valley approve the request from the Tax Assessor, Laurence Holland to enter settlement of tax Grievance matters for Spring 59 Associates (Food World), 57.65-1-27, a refund for tax years 2002 and 2010 in the amount of \$170,167; Super Value Inc. (68 East Route 59), 57.65-1-11 for tax years 2002-2009 in

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the amount of \$48,864; Rockland Hebrew Center (485 Viola Road), removal of this parcel from the taxable roll for an amount totaling \$4,119.35 for tax year 2008; Dutch Lane Realty Corp (2 Dutch Lane), 57.48-2-1, for tax years 2007-2010 in the amount of \$37,807; 28 Wolfe Drive, 57.53-1-32 for tax year 2010 in the amount of \$1,313.66; Valley View gardens, 1-11 Secora Road, 56.68-1-7 for tax year 2010 per a court order in the amount of \$46,481; and be it further

RESOLVED, that the above action refund amounts are subject to a review by the Village Treasurer.

Referral No. 2099

**RESOLUTION NO. 82 OF 2011
APPROVING THE NAME OF "PARVIEW DRIVE" FOR A STREET
TO BE LOCATED ON NORTH MAIN STREET BETWEEN MAPLE
AVENUE EXTENSION AND LAWLOR PLACE**

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

WHEREAS, the developer of the Village's Urban Renewal Site 1, RT 45 LLC, has requested that the Village agree to name a street within the said site as "Parkview Drive"; and

WHEREAS, the Village Board of Trustees agrees that this is an appropriate name for said street, now, therefore, it is hereby

RESOLVED, that the street created by RT 45 LLC which is located on North Main Street between Maple Avenue Extension and Lawlor Place which is within Site 1 of the Village's Urban Renewal Plan is named Parkview Drive.

Referral No. 3029

**RESOLUTION NO. 83 OF 2011
APPROVE THE REQUEST FROM
SONIA BARTON, YOUTH BUREAU DIRECTOR
TO ROLL OVER STAFF VACATION HOURS**

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

WHEREAS, Sonia Barton, Youth Bureau Director, has requested to roll over 168 vacation hours for Jean Marie Henry; and

WHEREAS, Mayor Noramie Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed the request from Sonia Barton, Youth Bureau Director to roll over one hundred sixty eight (168) hours of vacation time for Jean Marie Henry; and.

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

RESOLVED, the Village of Spring Valley Board of Trustees hereby approves the request from Sonia Barton, Youth Bureau Director, to roll over one hundred sixty eight (168) hours of vacation time for Jean Marie Henry.

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Trustee Reports

Economic Development - Trustee Leon

Received an e-mail from Isaac Henderson, the ground breaking to celebrate the beginning of the construction of Spring Valley Family Apartments has been rescheduled to February 23, 2011 at 11:00 a.m.

Fire & Safety – Trustee Gross

The Police Department arrested two people for breaking in cars, please keep your cars and homes locked and be safe. A reminder that sidewalks are not being cleaned, please clean all sidewalks when it snows.

Infrastructure – Trustee Delhomme

The Mayor assisted with Trustee Delhomme's report to let all know that they met with the Legislature to fight the issue on the Northern side of Union Road and that a letter is being sent out soon to visit residents in the area.

Youth & Recreation – Deputy Mayor Desmaret

Update on Babbin Court playground, bid accepted, equipment will be soon ordered, fencing for Memorial Park bid approved, work will start in March.

New Business

Debate:

Trustee Delhomme

Yes, this is for the record. Sometimes most of the people do not understand the process as elected officials (inaudible) we have lawyers we ask for people above us to tell us what to do. Last year, a couple of months exactly, there was an issue which came in front of the Board which was that the previous government hired a couple of people, their paperwork was not properly filed and Rockland County did not have it and the Mayor asked us to remove these people because they were there not properly. I asked our lawyer and he said yes, you have to remove them so I voted to remove these gentlemen and they worked at DPW. My vote was under the lawyer's advice. It is true and (inaudible) that was the right thing to do. I have called the Conference of the Mayor, that was the right thing to do and I am fine with that. Recently, we have the same issue coming on board and I have voted. My vote was also taking the advice from the lawyer, which was not Mr. Conway by the way, that I could do either thing. Either fix it or vote no. But, I was asked to vote yes on that issue and I am asking to rescind that vote from Personnel, the last Board meeting and I do not remember the date correctly, I hope the Madam Clerk remember that date, to rescind those votes because it is the same criteria. However, I do want to vote yes to get these people to work, but those who do not have the paperwork are not fully prepared and given to the Clerk, no one should vote yes if the paperwork is not ready just like we did a couple of months ago. Those of you who do not understand what the process is, please, please. I do not say that they are not going to work and I have never said that I am not going to vote for them. Basically, the paperwork is not ready. If the paperwork is ready now, I am ready to move on and vote yes. As of this afternoon I have called and the paperwork still is not ready, therefore, my vote is no and I rescind them, my vote was no instead of yes and all of those, the paperwork was not ready. Please you Haitian radios up there (inaudible) learn English that is exactly the right thing I am told to do by the Conference of the Mayors. Thank you.

Mayor Jasmin

Thank you Trustee Delhomme. I will not elaborate too much because the cases are pending and as far as your vote, unfortunately you cannot rescind your vote. But, I will let your statement stay on the record.

Trustee Leon

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Last year we had a resolution on Mr. Maccala Joseph that I tabled for certain issues. I found out those issues has been treated properly and the paperwork from the Rockland County Personnel has been approved and also Mr. Joseph (inaudible). Therefore, I am moving to bring the resolution back on the table to hire Mr. Joseph.

Mayor Jasmin

Before that is second. We have abolished those positions and we have a new one. However, I will allow a new resolution to come forth with acceptance of the position, Mr. Maccala has to have a new application in, that will be effective tomorrow, with all the credentials to be sent to the Department of Personnel in New City. Upon approval from Personnel Mr. Maccala will be on board.

Referral No. 2001

**RESOLUTION NO. 84 OF 2011
APPROVE THE REQUEST FROM TRUSTEE LEON
TO REINSTATE HIS PREVIOUS REQUEST DATED JUNE 22, 2010 MEETING
TO TABLE THE APPOINTMENT OF MACCALA JOSEPH TO THE POSITION OF
(SEASONAL) LABORER IN THE DEPARTMENT OF PUBLIC WORKS AND TO
APPOINT MACCALA JOSEPH TO THE POSITION OF ASSISTANT MAINTENANCE
MECHANIC IN THE DEPARTMENT OF PUBLIC WORKS UPON
THE APPROVAL OF ROCKLAND COUNTY PERSONNEL**

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

WHEREAS, Trustee Leon tabled the resolution to appoint Maccala Joseph to the position of Laborer (seasonal); and

WHEREAS, Trustee Leon has requested to reinstate the item to appoint Maccala Joseph to the position of Laborer (seasonal); and

WHEREASE, Trustee Delhomme has seconded the request to reinstate the item; and

WHEREAS, the position of Laborer has been abolished in the Department of Public Works; and

WHEREAS, has been appointed to the position of Assistant Maintenance Mechanic in the Department of Public Works; 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 Maccala Joseph to the position of Assistant Maintenance Mechanic in the Department of Public Works, subject to the approval of the Rockland County Personnel.

**ADJOURNMENT IN MEMORY OF
MARIA A. FRANCOIS**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Maria A. Francois, January 4, 2011.

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**ADJOURNMENT IN MEMORY OF
LENOR LOUIMET**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Lenor Louimet, January 10, 2011.

**ADJOURNMENT IN MEMORY OF
MARION MC GLYNN**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Marion McGlynn, January 11, 2011.

**ADJOURNMENT IN MEMORY OF
SEYMOUR KOFFLER**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Seymour Koffler, January 15, 2011.

**ADJOURNMENT IN MEMORY OF
ANNICK BENOIT BELLIS**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Annick Benoit Bellis, January 19, 2011.

**ADJOURNMENT IN MEMORY OF
ALEXANDER USCHAKOW**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory Alexander Uschakow, January 13, 2011.

**ADJOURNMENT IN CELEBRATION OF
THE BIRTH OF
DANNA DENNIS HUERTA GONZALEZ**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in celebration of the birth of Danna Dennis Huerta Gonzalez, born November 29, 2010, the child of Doris Gonzalez and Marcos Huerta.

**ADJOURNMENT IN CELEBRATION OF
THE BIRTH OF
BRIAN CHRISTOPHER YUMBLA**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in celebration of the birth of Brian Christolpher Yumbla, born December 10, 2010, the child of Maria Quinche and Segundo Yumbla.

**RESOLUTION NO. 85 OF 2011
ADJOURNMENT**

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

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, February 15, 2011, at eight o'clock in the evening.

Respectfully Submitted,
Sherry M. Scott
Village Clerk
