

May 24, 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, May 24, 2011 at 8:00 pm.

Sherry M. Scott
Village Clerk

Dated: Spring Valley, New York
May 13, 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 April 26, 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 (Absent)
Joseph Gross	Trustee
Demeza Delhomme	Trustee
Kevin T. Conway	Village Attorney
Sherry M. Scott	Village Clerk

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

The invocation was delivered by Deputy Mayor Desmaret.

Mayor's Report

Set aside – after reports of the Trustees.

Referral No. 2059

**RESOLUTION NO. 295 OF 2011
OPEN PUBLIC PARTICIPATION**

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

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Referral No. 2059

**RESOLUTION NO. 296 OF 2011
CLOSE PUBLIC PARTICIPATION**

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

WHEREAS, the Village Board of Trustees closed the public participation portion of the meeting; now, therefore, it is hereby

RESOLVED, that the public participation portion of the meeting is hereby closed.

Referral No. 2029

**RESOLUTION NO. 297 OF 2011
ACCEPT SPRING VALLEY FIRE DEPARTMENT
MEMBERSHIP REPORT DATED MAY 2, 2011 AND MAY 12, 2011**

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

WHEREAS, the Mayor of the Village of Spring Valley accepts the Spring Valley Fire Department Membership Report dated May 2, 2011 and May 12, 2011; and

WHEREAS, such acceptance 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 Spring Valley Fire Department Membership Report dated May 2, 2011 and May 12, 2011 as follows:

- Tori Faber.....Accepted.....Rockland Hook & Ladder Co.
- Felix Laramé.....Accepted.....Spring Valley Hook & Ladder Co.

Referral No. 2026

**RESOLUTION NO. 298 OF 2011
ESTABLISH THE POSITION OF
OFFICE SERVICES AIDE IN THE
OFFICE OF THE VILLAGE CLERK**

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

WHEREAS, the Office of the Village Clerk is requesting that the position of Office Services Aide, Full Time, be established in accordance with civil service law and rules; 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 approve the request to establish the position of Office Services Aide, Full Time, in the Office of the Village Clerk.

Referral No. 2001

**RESOLUTION NO. 299 OF 2011
DARIAN S. GARNER TO THE POSITION OF
OFFICE WORKER (STUDENT)**

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

WHEREAS, Mayor Jasmin appointed Darian S. Garner to the position of Office Worker (Student); 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 Darian S. Garner to the position of Office Worker (Student), effective May 25, 2011, and effective upon the approval of the Rockland County Personnel.

Referral No. 2030

**RESOLUTION NO. 300 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 Deputy Mayor Desmaret 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 #05102011-1) for the May 10, 2011 Village Board Meeting.

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Referral No. 2050

RESOLUTION NO. 301 OF 2011
APPROVE THE REQUEST FROM COMMUNITY MARKETS
TO HOLD THE SPRING VALLEY FARMERS' MARKET FOR THE 2011 SEASON,
IN THE PARKING LOT BELOW THE POST OFFICE ON ROUTE 45 AND
AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT (WITH THE AGREEMENT
TO VACATE ONCE THE POST OFFICE SQUARE PROJECT STARTS)

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

WHEREAS, the Community Markets has asked permission to hold the Spring Valley Farmers' Market for the 2011 season; and

WHEREAS, the Market is planned to start on Wednesday, July 6th and run every week until November 16th from 8:30 a.m. – 4:30 p.m.; and

WHEREAS, the Market would take place in the parking lot below the post office on Route 45; and

WHEREAS, the Market is requesting the Mayor to sign the agreement; and

WHEREAS, the agreement is to include a clause stating that the Market would vacate once the "Post Office Square Project" begins; and

WHEREAS, it is necessary for the Spring Valley Board of Trustees to approve the agreement between the Community Markets and the Village of Spring Valley; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request from the Community Markets to hold the Spring Valley Farmers' Market for the 2011 season, which will include the agreement that the Market would vacate once the "Post Office Square Project" begins; and be it further

RESOLVED, that the Village of Spring Valley Board of Trustees approves the authorization for the Mayor Noramie F. Jasmin to sign the agreement.

Debate:

Mayor Jasmin

Please keep in mind that we do have the Post Office Square and this project may start at any time. I will not enter into agreement with them without consent that they will vacate the location once the Post Office Square's Project is started.

Referral No. 2050

RESOLUTION NO. 302 OF 2011
GRANT PERMISSION FOR SPRING VALLEY CHURCH OF
THE NAZARENE TO HOLD IN THE CHURCH PARKING LOT,
A SPIRITUAL REVIVAL

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

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WHEREAS, the Spring Valley Spring Valley Church of the Nazarene has requested permission to hold a spiritual revival in their parking lot; and

WHEREAS, the revival would involve music, free worship and preaching; and

WHEREAS, the services are scheduled to take place on August 26, 27, 28 and will start 7:30 p.m. every night and will end no later than 10:00 p.m.; 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 the Spring Valley Church of the Nazarene to hold a spiritual revival in their parking lot, August 26, 27, 28 and will start 7:30 p.m. every night and will end no later than 10:00 p.m.

Referral No. 2030

**RESOLUTION NO. 303 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: May 25, 2011

GENERAL ABSTRACT #2010/49

Amount \$89,422.00 Claim #56020714 thru 560220786

CAPITAL ABSTRACT #2010/C7

Amount \$8,128.59 Claim #56020790 thru 56020789

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Referral No. 2030

**RESOLUTION NO. 304 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 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.

POST AUDITED GENERAL ABSTRACT #2010/18

DATED: May 25, 2011

Amount \$511,912.90 Claim #56020691 thru #56020789

Referral No. 2021

**RESOLUTION NO. 305 OF 2011
APPROVE 2010/2011 BUDGET TRANSFERS
FOR FISCAL YEAR ENDING MAY 31, 2011**

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

WHEREAS, the Village Treasurer requested 2010/2011 Budget Transfers funds for fiscal year ending May 31, 2011 to be adopted; 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 Treasurer to transfer funds for fiscal year ending May 31, 2011 to be adopted.

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Referral No. 2030

**RESOLUTION NO. 306 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 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 2010/2011 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 #541**

SECTION 8

<u>PROGRAM</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>	<u>CHECK #</u>
5132	Barrett CPA, PC -	\$ 360.00	

Total Community Development and Housing

Abstract for Village Board Approval: \$ 360.00

Referral No. 2064

**RESOLUTION NO. 307 OF 2011
APPROVE THE RECOMMENDATION FROM YVETTE INZAR,
TO RENEW/EXTEND THE FOOD SERVICE
VENDOR CONTRACT WITH NU-WAY
CONCESSIONAIRES, INC. FOR THE
2011 SUMMER FOOD SERVICE PROGRAM**

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

WHEREAS, last year the food for the Summer Food Service Program was provided by Nu-Way Concessionaires, Inc.; and

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WHEREAS, overall, the program was satisfied with Nu-Way Concessionaires, Inc.'s service and food quality; and

WHEREAS, the NYS Education Department rules permit the Village to renew/extend the contract with Nu-Way Concessionaires, Inc. for a period not to exceed four consecutive years, as long as the increase/decrease in the contracted unit pricing does not exceed the Bureau of Labor Consumer Price Index (CPI) over the past year; and

WHEREAS, from March 2010 to March 2011 the CPI increased by 2.3%; and

WHEREAS, in 2010 the contracted unit price for breakfast was \$1.08 and the unit price for lunch was \$2.44; and

WHEREAS, in 2011 the Village can pay \$1.11 unit price for breakfast and \$2.50 unit price for lunch; and

WHEREAS, Nu-Way Concessionaires, Inc. are agreeable to the above pricing; and

WHEREAS, Yvette Inzar is recommending that the Village renew/extend the food service vendor contract with Nu-Way Concessionaires, Inc. for the 2011 Summer Food Service program; and

WHEREAS, the recommendation 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 recommendation from Yvette Inzar to renew/extend the food service vendor contract with Nu-Way Concessionaires, Inc. for the 2011 Summer Food Service program, which include paying \$1.11 unit price for breakfast and \$2.50 unit price for lunch.

Referral No. 2033

**RESOLUTION NO. 308 OF 2011
SETTING A DATE FOR A PUBLIC HEARING
MS4 ANNUAL REPORT AND STORM WATER MANAGEMENT PLAN**

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 for the availability of the MS4 Annual Report and Storm Water Management Plan for public review and comments; now, therefore, it is

RESOLVED, that a public hearing before the Village of Spring Valley Board of Trustees is set for Tuesday, June 14, 2011 at 8:15 pm, for the availability of the MS4 Annual Report and Storm Water Management Plan for public review and comments.

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The Village Clerk read the following notice

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

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Village Board of the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977 that on the 24th day of May, 2011, at 8:15 p.m. to consider the following matters:

Consideration of a Special Permit for Alex Choglo, use of an existing building as a motor vehicle repair shop.

The property is located on the south side of Church Street, 9' west from the intersection of North Myrtle Avenue and Church Street in the Village of Spring Valley, County of Rockland, Town of Ramapo, designated on the Town of Ramapo Tax Map as Section 57.38, Block 1, Lot 36.

The Board, at the aforementioned time and place, will hear all persons in support of the application(s) and all objections thereto. Applicants must appear in person or by a representative. Letters in favor or opposed to the applications will be accepted if they are received prior to the time of the hearing. Applications are available for review at the Village clerk's office during normal business hours (8:30 a.m. to 4:30 p.m.), Monday through Friday, exclusive of legal holidays.

Dated: Spring Valley, New York
May 14, 2011

Sherry M. Scott
Village Clerk

Referral No. 2050

**RESOLUTION NO. 309 OF 2011
OPEN PUBLIC HEARING
CONSIDERATION OF A SPECIAL PERMIT FOR
ALEX CHOGLLO, USE OF EXISTING BUILDING AS A
MOTOR VEHICLE REPAIR SHOP**

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

RESOLVED, that the public hearing consideration of a special permit for Alex Choglo, use of existing building as a motor vehicle repair shop, is hereby open.

Debate:

Ryan Karben – Attorney for the Applicant

Just to bring the Board up to speed on this item. This matter was privileged to be reviewed by the Planning Board. I think you have a copy of the review by Mr. Kauker, the Planning Board Consultant, in your package. This application is for a special permit to allow a motor vehicle repair shop at an existing building at one North Myrtle Avenue, Spring Valley, the southwest corner of Myrtle Avenue and Church Street. We will not cause any additional or extra construction, no changes to the site plan. When you are operating a motor vehicle repair shop a

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special permit is required from this Board. The site is in a POR zone which permits a repair shop only by the permission of the Village Board. The applicant is not the owner of the facility. The only change you will see on the building is the erection of a certain sign which is required by the Department of Motor Vehicle. The applicant is here and is an experienced operator. He had to recently close his shop to make way for the Walgreen's on the corners of Route 59 and Route 45. Because we were not changing the exterior of the building no variances were required. The Planning Board has declared Lead Agency under SEQRA. The Planning Board at that time chose to waive the Public Hearing as it was permitted to do under applicable sections of the Village Code. What we set forth in the narrative that we submitted to you goes into great details of why this complies with the special permit standards under section 255-27 and specific standards for motor vehicle repair shops 255-28 (inaudible), members of the Board had the chance to visit the site. Obviously it is important to keep those commercial buildings (inaudible). Mr. Chogllo is an experienced tenant and good tenant. He operates under the business of Steve's Auto Repair. He is licensed by the Department of Motor Vehicles and there are certain regulatory requirements that they require. There is parking on the site which is consistent with the Zoning Code. Based on the applicant's history to run a small business in this Village we (inaudible) to promote your economic growth in the Village. I respectfully request from the Board that you approve this applicant for a special permit.

Mayor Jasmin

How long has your client been operating his business in that particular site?

Ryan Karben

I believe he moved in a number of months ago, his lease states with Mr. Lagona, my understanding is that at that time no one was aware that a special permit was required. A subsequent inquiry was made by Mr. Booker and the application was immediately filed. I believe the application was filed about three months ago. Earlier on Mr. Emanuel was involved and I am not sure of all the details of those meetings.

Mayor Jasmin

My question was for tax purposes for the Village.

Trustee Gross

I drove by the place and saw cars for sale. Are you going to sell cars there?

Ryan Karben

That's not associated with Mr. Chogllo. The Village code strictly prohibits a motor vehicle repair shop from offering new or used vehicles for sale.

Trustee Delhomme

I have a question too. Since, you are going to repair cars there, could you shield that from viewers. You know the green carpet fence you have there now, could you use as a shield?

Ryan Karben

I don't think that would be a problem. I would have to ask the owner of the property. I would certainly tell him that that is something that the Village requested. I will relay the message.

Kevin Conway – Village Attorney

I have a letter received from Walter Booker, submitted to the Village Clerk with regard to the special use request. He has asked that the Board consider the following conditions to be attached to it: no rentals of vehicles of any kind, no partially dismantled vehicles allowed on the grounds at any time, no garbage of any kind stored for pickup except in appropriate dumpsters and enclosures, no repair work out of doors, no vehicle sales permitted, the hours of operation should be clearly described and approved by the Village, and payment of all tax arrears.

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Ryan Karben

I just don't know how the Village is going to monitor when someone brings their car for repair and how long a car remains there. That seems to be a little bit micro managing to me. What if a car takes longer than three days to repair? You asked about the hours of repair. The hours of operation are 8:30 a.m. – 6:30 p.m.

Referral No. 2050

**RESOLUTION NO. 310 OF 2011
CLOSE PUBLIC HEARING
CONSIDERATION OF A SPECIAL PERMIT FOR
ALEX CHOGLLO, USE OF EXISTING BUILDING AS A
MOTOR VEHICLE REPAIR SHOP**

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

WHEREAS, there were no other speakers on the Public Hearing; now, therefore, it is hereby

RESOLVED, that the Public Hearing consideration of a special permit for Alex Chogllo, use of existing building as a motor vehicle repair shop, is hereby closed.

Referral No. 2050

**RESOLUTION NO. 311 OF 2011
GRANT A SPECIAL PERMIT FOR
ALEX CHOGLLO, USE OF EXISTING BUILDING AS A
MOTOR VEHICLE REPAIR SHOP**

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

WHEREAS, the applicant, Alex Chogllo, has requested a special permit for the use of existing building as a motor vehicle repair shop, Spring Valley, New York; 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 Board of Trustee approves the request for a special permit to Alex Chogllo who has requested a special permit for the use of an existing building as a motor vehicle repair shop, Spring Valley, New York subject to the following conditions; no rentals of vehicles of any kind, no partially dismantled vehicles allowed on the grounds at any time, no garbage of any kind stored for pickup except in appropriate dumpsters and enclosures, no repair work out of doors, no vehicle sales permitted, the hours of operation should be clearly described and approved by the Village, and payment of all tax arrears.

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The Village Clerk read the following notice

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

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Village Board of the Village of Spring Valley, 200 North Main Street, Spring Valley, New York 10977 that on the 24th day of May, 2011, at 8:15 p.m. to consider the following matters:

1. To consider whether to declare surplus, a lot located at the western end of Sneden Place West which is designated on the Tax Map of the Town of Ramapo as Section 50.71, Block 1 Lot 2 and offer it for sale.

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

Dated: Spring Valley, New York
May 11, 2011

Sherry M. Scott
Village Clerk

Referral No. 2050

**RESOLUTION NO. 312 OF 2011
OPEN PUBLIC HEARING
CONSIDER WHETHER TO DECLARE A LOT
DESIGNATED AS SECTION 50.71-1-2 LOCATED ON
SNEDEN PLACE WEST AS A SURPLUS ROAD AND OFFER IT FOR SALE**

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

RESOLVED, that the Public Hearing to consider whether to declare a lot located at the western end of Sneden Place West which is designated on the Tax Map of the Town of Ramapo as Section 50.71, Block 1 Lot 2 a surplus road and offer it for sale, is hereby open.

Referral No. 2050

**RESOLUTION NO. 313 OF 2011
CLOSE PUBLIC HEARING
CONSIDER WHETHER TO DECLARE A LOT
DESIGNATED AS SECTION 50.71-1-2 LOCATED ON
SNEDEN PLACE WEST AS A SURPLUS ROAD AND OFFER IT FOR SALE**

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

WHEREAS, there were no speakers on the Public Hearing; now, therefore, it is hereby

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RESOLVED, that the Public Hearing to consider whether to declare a surplus lot located at the western end of Sneden Place West which is designated on the Tax Map of the Town of Ramapo as Section 50.71, Block 1 Lot 2 and offer it for sale, is hereby closed.

Referral No. 2050

**RESOLUTION NO. 314 OF 2011
DECLARE A LOT DESIGNATED AS SECTION 50.71-1-2
LOCATED AT THE WESTERN END OF SNEDEN PLACE WEST AS SURPLUS**

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

WHEREAS, the Legal Department has requested that the Village declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West as surplus; 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 Board of Trustee approves the request from the Legal Department to declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West a surplus road.

Referral No. 3043

**RESOLUTION NO. 315 OF 2011
TO DECLARE THE VILLAGE BOARD AS LEAD AGENCY
TO DECLARE A LOT DESIGNATED AS SECTION 50.71-1-2
LOCATED AT THE WESTERN END OF SNEDEN PLACE WEST
AS A SURPLUS ROAD AND OFFER IT FOR SALE**

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

WHEREAS, the Village Board has declared themselves lead agency to declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West a surplus road and offer it for sale; and

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

RESOLVED, that Village Board is declared lead agency to declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West a surplus road and offer it for sale.

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Referral No. 3021

**RESOLUTION NO. 316 OF 2011
TO ADOPT NEGATIVE DECLARATION TO
TO DECLARE A LOT DESIGNATED AS SECTION 50.71-1-2
LOCATED AT THE WESTERN END OF SNEDEN PLACE WEST
AS SURPLUS ROAD AND OFFER IT FOR SALE**

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

WHEREAS, the Village of Spring Valley Board of Trustees has declared itself Lead Agency on the project; and

WHEREAS, the Village of Spring Valley Board of Trustees has moved to adopt the Negative Declaration to declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West a surplus road and offer it for sale; now, therefore, it is hereby

RESOLVED, that the Village of Spring Valley Board of Trustees approves the adoption of the Negative Declaration to declare a lot designated as Section 50.71.-1-2, located at the western end of Sneden Place West a surplus road and offer it for sale; and be it further

RESOLVED, that the Board of Trustees of the Village of Spring Valley, as lead agency has determined that the proposed action will not have a significant effect on the environment.

Referral No. 3039

**RESOLUTION NO. 317
ACCEPT THE OFFER OF \$55,000.00 FROM
BROOKWAY ESTATES, L.L.C. TO PURCHASE
PARCEL IDENTIFIED ON THE TAX MAP OF
THE TOWN OF RAMAPO AS SECTION 50.71-1-2**

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

WHEREAS, the Board of Trustees of the Village of Spring Valley found that a parcel identified as 50.71.1.2 is surplus and may be offered for sale; that an independent appraiser retained by the Board has determined that the fair value of this lot is \$55,000.00; that Broadway Estates, L.L.C., through its attorneys Kunstlinger & Wohlgemuth, PLLC, has offered to purchase this lot from the Village for the sum of \$55,000.00; now, therefore, it is hereby.

RESOLVED, that the Village of Spring Valley Board of Trustees hereby grant approval to sell this lot to Broadway Estates, L.L.C., for the sum of \$55,000.00 and authorizes the Village Attorney to prepare the necessary documents to effect the sale of this property to Broadway Estates, L.L.C., and further, authorizes Mayor Noramie F. Jasmin to sign all documents necessary to complete the sale of this property to the said purchase.

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Referral No. 3032

**RESOLUTION NO. 318 OF 2011
APPROVE THE REQUEST FROM THE POLICE DEPARTMENT
TO DENY THE LIQUOR LICENSE RENEWAL
APPLICATION FOR SPRING VALLEY PIZZA**

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

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license renewal application for Spring Valley Pizza, Inc., located at 39 South Main Street, Spring Valley, NY; and

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

WHEREAS, the recommendation is based upon the history of the location and the potential effect that excessive alcohol consumption may have on the crime rate and quality of life in that area; and

WHEREAS, it is necessary for the Village Board of Trustees to approve the request to deny a liquor license renewal 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 Spring Valley Pizza, Inc., located at 39 S. Main Street, Spring Valley, NY.

Referral No. 2034

**RESOLUTION NO. 319 OF 2011
APPROVE THE AGREEMENT BETWEEN THE
VILLAGE OF SPRING VALLEY AND THE COUNTY OF ROCKLAND,
SALE OF SUPERSAVER TICKETS AND
AUTHORIZE THE EXECUTION BY THE MAYOR**

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

WHEREAS, approval between the County of Rockland, Department of Law, Office of the County Attorney, and the Village of Spring Valley for the agreement for the sale of Supersaver Tickets has been requested; and

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

RESOLVED, that the Village Board of Trustee approve the request agreement between the County of Rockland, Department of Law, Office of the County Attorney, and the Village of Spring Valley for the agreement for the sale of Supersaver Tickets and authorize the execution by the Mayor Noramie F. Jasmin (a copy of the agreement is on file in the office of the Village Clerk).

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Referral No. 3039

RESOLUTION NO. 320 OF 2011
APPROVE THE REQUEST FOR A PROPOSED RESOLUTION
TOBACCO POINT OF SALE RESOLUTION

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

WHEREAS, the Legal Department is requesting the approval of a proposed resolution for retail tobacco placement; and

WHEREAS, the proposed resolution is as follows; and

WHEREAS, tobacco use kills over 25,000 New Yorkers every year, and is the leading preventable cause of death in our communities; and

WHEREAS, THE Surgeon General has concluded that tobacco marketing contributes to youth smoking rates; and

WHEREAS, in New York State, the tobacco industry spent \$1.1 million per day to market its products; and

WHEREAS, exposure to cigarette marketing is a primary cause of youth smoking initiation and over 24,000 youths under age 18 in New York State become new daily smokers each year; and

WHEREAS, 75% of teenagers shop at convenience stores once a week; and

WHEREAS, tobacco marketing in retail stores has a powerful influence on teens, who are significantly more likely to smoke due to marketing than they are due to peer pressure; and

WHEREAS, research shows that youth are more than twice as likely as adults to recall tobacco marketing; and

WHEREAS, research shows that youth are more than twice as likely as adults to recall tobacco marketing; and

WHEREAS, indoor tobacco product marketing in retail establishments are targeted towards our youth; and

WHEREAS, retail stores are an integral and valuable part of our community; and

THEREFORE BE IT RESOLVED, that the Village of Spring Valley hereby partners with POW'R Against Tobacco in requesting that retailers place tobacco products out of consumer view in side all non-adult only retail establishments.

WHEREAS, it is necessary for the Village of Spring Valley Board of Trustees to approve the request to adopt the proposed resolution for retail tobacco placement; now, therefore, it is hereby

RESOLVED, that the Village Board of Trustee approve the request from the Legal Department to adopt the proposed resolution for retail tobacco placement.

May 24, 2011

Referral No. 2043

**RESOLUTION NO. 321 OF 2011
GRANT PERMISSION FOR KEVIN CONWAY,
VILLAGE ATTORNEY, TO ATTEND THE
COUNTY EXECUTIVE(S) SYMPOSIUM
SPONSORED BY THE PALISADES
INSTITUTE OF DOMINICAN COLLEGE**

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

WHEREAS, Kevin Conway, Esq., Village Attorney, has requested authorization to attend the County Executive Symposium sponsored by the Palisades Institute of Dominican College; and

WHEREAS, the cost for this one day Symposium is \$30.00; and

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

RESOLVED, that the Village Board of Trustee approve the request from Kevin Conway, Esq., Village Attorney, has requested authorization to attend the County Executive Symposium sponsored by the Palisades Institute of Dominican College on Tuesday, June 7, 2011 from 8:30 a.m. to 10:00 a.m. in Rockland County, at a cost of \$30.00, plus any other related expenses.

Referral No. 2047

**RESOLUTION NO. 322 OF 2011
APPROVE THE PROPOSED PARKING FEE
SCHEDULE FOR 2011-2012 FOR PARKING
PERMITS ISSUED JUNE 1, 2011 THROUGH MAY 31, 2012**

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

WHEREAS, the Legal Department has request the approval of a proposed parking fee schedule for 2011-2012; and

WHEREAS, a copy of the fees are will be on file in the Office of the Village Clerk and the Parking Office; 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 Trustee approve the request from the Legal Department to authorize the acceptance of the proposed parking fee schedule for parking permits issued June 1, 2011 through May 31, 2012.

May 24, 2011

Referral No. 3039

**RESOLUTION NO. 323 OF 2011
APPROVAL OF THE CREATION OF
A SAFETY COMMITTEE TO ADDRESS
THE VARIOUS SAFETY CONCERNS FOR THE VILLAGE**

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

WHEREAS, the Legal Department has requested in the best interest of the Village, a Safety Committee be formed; and

WHEREAS, the Committee will consist of a representative from the Department of Public Works, Parks and Recreation, Police Department, Youth Bureau, Building Department, Legal Department and the Village Clerk Office; and

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

RESOLVED, that the Village Board of Trustee approve the recommendation from the Legal Department to approve the creation of a Safety Committee to address the various safety concerns for the Village to consist of either a Department Head or representative from the Department of Public Works, Parks and Recreation, Police Department, Youth Bureau, Building Department, Legal Department and the Office of the Village Clerk.

Referral No. 2037

**RESOLUTION NO. 324 OF 2011
APPROVE THE INDEMNIFICATION OF POLICE OFFICERS
IN A CIVIL RIGHTS LAWSUIT**

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

WHEREAS, there is a Civil Rights lawsuit against the Village; and

WHEREAS, the claimant claims false arrest, etc.; and

WHEREAS, the Village is being defended by the Sokoloff law firm; and

WHEREAS; the officers are being defended by the same law firm; and

WHEREAS, the officers response to a call from a claimant who complained about a neighbor intentionally dirtying his car; and

WHEREAS, the officers ask the Village to agree to indemnify them for any monetary damages which a jury might award the claimant since the officers were acting in accordance with their assigned duties; and

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

May 24, 2011

RESOLVED, that the Village Board of Trustee approve the request from the Legal Department to indemnify the police officers for any monetary damages which a jury might award the claimant in the case where a claimant complained about a neighbor intentionally dirtying his car since the officers were acting in accordance with their assigned duties.

Trustees Report

Economic Development – Trustee Leon – Absent.

Fire & Safety – Trustee Gross – Spoke to the new Fire Chief, check all your smoke detectors to make sure the batteries are okay, the Fire and Police Department is very quiet right now.

Infrastructure – Trustee Delhomme - Walgreen’s will be here very soon, this will also create new jobs, Site 4 is moving fast and also Site 1 is moving. The Village is back on track. Post Office Square will start their project soon also.

Youth & Recreation – Deputy Mayor Desmaret - Construction is being done on Babbin Court and Kennedy Park. I will give a full report at the next meeting.

Mayor’s Report – Special presentation to two families in our diverse community. The Bernal Family and the Gonzalez/Rodriguez Family received a “Beautification Award” and was thanked by the Mayor and the entire Village Board for the beautification of their homes and caring about the community of the Village of Spring Valley.

**ADJOURNMENT IN MEMORY OF
WALLACE KING**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Wallace King, April 24, 2011.

**ADJOURNMENT IN MEMORY OF
ANTHONY CART**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Anthony Cart, April 25, 2011.

May 24, 2011

**ADJOURNMENT IN MEMORY OF
TULIA LOUIS**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Tulia Louis, May 5, 2011.

**ADJOURNMENT IN MEMORY OF
BARNEY BARLAM**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Barney Barlam.

**ADJOURNMENT IN MEMORY OF
JOHN FISCHER**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of John Fischer, May 11, 2011.

**ADJOURNMENT IN MEMORY OF
GERALDINE JACKSON**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Geraldine Jackson, May 12, 2011.

**ADJOURNMENT IN MEMORY OF
EMMA ALLSOP**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Emma Allsop, May 12, 2011.

May 24, 2011

**ADJOURNMENT IN MEMORY OF
WILLIAM PIVONKA**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of William Pivonka, May 12, 2011.

**ADJOURNMENT IN MEMORY OF
GEORGE J. THIRY, JR.**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of George J. Thiry, Jr., May 13, 2011.

**ADJOURNMENT IN MEMORY OF
IRENA STRELTSCHEVSKAIA**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Irena Streltchevskaia, May 17, 2011.

**ADJOURNMENT IN MEMORY OF
MURRAY SCHLIFKIN**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Murray Schlifkin, May 22, 2011.

**RESOLUTION NO. 325 OF 2011
ADJOURNMENT**

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

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, June 14, 2011, at eight o'clock in the evening.

Respectfully Submitted,
Sherry M. Scott
Village Clerk
