

January 24, 2012

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 24, 2012 at 8:00 p.m.

Sherry M. Scott
Village Clerk

Dated: Spring Valley, New York
January 13, 2012

**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 10, 2012 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 (Arrived Late)
Joseph Gross	Trustee
Demeza Delhomme	Trustee (Absent)
Kevin T. Conway	Village Attorney
Sherry M. Scott	Village Clerk

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

The invocation was delivered by Village Attorney, Kevin Conway.

Referral No. 2058

**RESOLUTION NO. 37 OF 2012
APPROVING MINUTES OF
DECEMBER 5, 2011, DECEMBER 13, 2011
DECEMBER 21, 2011 (SPECIAL MEETING)**

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

RESOLVED, that the transcribed minutes of the Village of Spring Valley meeting held on December 5, 2011, December 13, 2011 and December 21, 2011 (Special Meeting) as recorded by the Clerk and presented to the Board are hereby adopted.

January 24, 2012

Referral No. 2059

**RESOLUTION NO. 38 OF 2012
OPEN PUBLIC PARTICIPATION**

Deputy Mayor Desmaret offered the following resolution, which was seconded by Trustee Gross 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: (There were no speakers)

Referral No. 2059

**RESOLUTION NO. 39 OF 2012
CLOSE PUBLIC PARTICIPATION**

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

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

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

Referral No. 2028

**RESOLUTION NO. 40 OF 2012
ESTABLISH THE POSITION OF
COURT ATTENDANT (P/T) IN THE JUSTICE COURT,
PER THE CLASSIFICATION OF ROCKLAND COUNTY PERSONNEL**

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

WHEREAS, the Justice Court is requesting that the position of Court Attendant (P/T) be established: 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 establish the position of Court Attendant (P/T) in the Justice Court, per the classification of Rockland County Personnel.

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Referral No. 2028

**RESOLUTION NO. 41 OF 2012
ESTABLISH THE POSITION OF
POLICE OFFICER (YIDDISH-SPEAKING) (P/T)
IN THE POLICE DEPARTMENT, PER THE CLASSIFICATION OF
ROCKLAND COUNTY PERSONNEL**

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

WHEREAS, the Village of Spring Valley Police Department is requesting that the position of Police Officer (Yiddish-Speaking) (P/T) be established: 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 establish the position of Police Officer (Yiddish-Speaking) (P/T) in the Village of Spring Valley Police Department, per the classification of Rockland County Personnel.

Referral No. 2001

**RESOLUTION NO. 42 OF 2012
APPOINT EDWARD KATZ, ESQ. TO THE POSITION OF
ASSISTANT VILLAGE ATTORNEY, CONSULTANT**

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

WHEREAS, effective January 31, 2012 Edward Katz retired from the NYS Retirement System; and

WHEREAS, Edward Katz requested that he be granted the position of Assistant Attorney for the Village of Spring Valley at the same salary as a consultant; 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 Edward Katz to be appointed to the position of Assistant Village Attorney, Consultant, effective January 31, 2012, at the same salary.

Referral No. 2030

**RESOLUTION NO. 43 OF 2012
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 Gross and unanimously adopted:

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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 #1-102012-1) for the January 10, 2012 Village Board Meeting.

Referral No. 2030

**RESOLUTION NO. 44 OF 2012
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY**

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

WHEREAS, the Village of Spring Valley through its various departments had made certain expenditures pursuant to the appropriations contained in the Village of Spring Valley 2011/2012 adopted budget; and

WHEREAS, Mayor Noramie Jasmin and the members of the Village of Spring Valley Board of Trustees have reviewed bills to be paid reflecting such expenditures; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the payment of the bills of the Village of Spring Valley set forth below and authorizes the Treasurer of the Village of Spring Valley to pay such bills.

APPROVAL OF ABSTRACTS

DATE: January 24, 2012

GENERAL ABSTRACT #2011/33

Amount \$405,013.69 Claim #56022981 thru 56023077

Referral No. 2030

**RESOLUTION NO. 45 OF 2012
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:

January 24, 2012

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.

POST AUDITED GENERAL ABSTRACT #2011/12

DATED: January 24, 2012

Amount \$573,053.98 Claim #56022847 thru #56023028

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 on the 24th day of January, 2011 at 8:15 p.m. to consider the following matters:

1. Special Permit for the Application of Turner Gardens, Located on the West Side of Bethune Boulevard, South of Ben Wild Road.

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
January 13th, 2012

Sherry M. Scott
Village Clerk

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Referral No. 2050

**RESOLUTION NO. 46 OF 2012
OPEN PUBLIC HEARING
SPECIAL PERMIT FOR THE APPLICATION OF
TURNER GARDENS, LOCATED ON THE WEST SIDE
OF BETHUNE BOULEVARD, SOUTH OF BEN WILD ROAD**

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

RESOLVED, that the public hearing for a Special Permit for the application of Turner Gardens, located on the West side of Bethune Boulevard, South of Ben Wild Road, is hereby open.

Debate:

James Licata, 222 Route 59, Suite 111, Suffern, NY

I am the attorney for the applicant. I also brought with me the engineer and the architect for the applicant to answer any questions.

Mayor Jasmin

So, how many bedrooms and units?

James Licata

I have a little presentation to show you to tell you about the project. But, the answer to your question is 58 bedrooms.

Mayor Jasmin

How many bedrooms per unit?

James Licata

The units are either three bedrooms or two.

(Trustee Leon arrived at the meeting)

James Licata

The property is located on 500' on the corner of Bethune Boulevard and Clinton Street. It is presently a warehouse use in an existing building. The application is to convert the existing use to residential apartments. The property is located in an R-2 Zone with a PRD Overlay District and the main use in the neighborhood is residential, therefore, this conversion of warehouse as residential will fit nicely into the area. As a right, we are allowed to construct 23 units, we are only requesting 19 units. We are going to be building within the existing foot prints and we are not going to be constructing a new building. We are using the existing building which is already there. In building "A" three, three bedrooms, four units; a fourth four bedrooms, four units. Building "B" is three bedrooms with four units and Building "C" is four bedrooms, three units. The total is 16 units. We have received referrals to the Village Board and the ZBA from the Planning Board and we have also received a Negative DEC from the Planning Board to proceed to this Board. As you know you could not vote unless you received a Negative DEC prepared. I do have a copy of the Negative DEC, if it is not included in your packet. The Negative DEC is dated December 1st, 2011; Lead Agency, Spring Valley Planning Board; prepared by Michael D. Kauker, the Village Planner and the Negative DEC was adopted unanimously on that date by the Planning Board. We are prepared to answer any questions. The apartments are rentals. I know

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there is a need for rentals. There is an existing apartment there now and it is \$1400 for three bedrooms. That was a private home actually.

Mayor Jasmin

When will you start building and how long will it take you.

James Licata

We have to go back, if this Board was to vote this evening, to the ZBA next month and then back to the Planning Board for the final site plans, so hopefully we will be able to start construction in July or August. We might need two Planning Board meetings.

Trustee Leon

This Board is the Village Board. First of all, if (Inaudible) issue a permit. They should prepare the project to the Village Board first before they issue a Negative DEC. Therefore, now by issuing a Negative DEC (inaudible) the power in the Village Board. To tell the Village Board to accept the project without (inaudible).

James Licata

First of all, it is a requirement for this Board to vote, there has to be a Negative DEC. That is the SEQRA rules. That's New York State. Second of all this Board is independent of the Planning Board. You can vote anyway you want.

Referral No. 2050

**RESOLUTION NO. 47 OF 2012
CLOSE PUBLIC HEARING
SPECIAL PERMIT FOR THE APPLICATION OF
TURNER GARDENS, LOCATED ON THE WEST SIDE
OF BETHUNE BOULEVARD, SOUTH OF BEN WILD ROAD**

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

WHEREAS, there were no other speakers on the Public Hearing on whether to grant a Special Permit for the application of Turner Gardens, located on the West side of Bethune Boulevard, South of Ben Wild Road; now, therefore, it is hereby

RESOLVED, that the public hearing on whether to grant a Special Permit for the application of Turner Gardens, located on the West side of Bethune Boulevard, South of Ben Wild Road, is hereby closed.

Referral No. 2050

**RESOLUTION NO. 48 OF 2012
GRANT SPECIAL PERMIT FOR THE APPLICATION
OF TURNER GARDENS, LOCATED ON THE
WEST SIDE OF BETHUNE BOULEVARD, SOUTH OF BEN WILD ROAD**

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

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WHEREAS, the applicant, Turner Gardens has requested a special permit to add a 3rd floor on an existing two-story house, convert two warehouse buildings into an apartment building with the capacity of a total of 19 apartments, located on the West side of Bethune Boulevard, South of Ben Wild Road; 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 Trustees approves the request for a Special Permit to Turner Gardens to add a 3rd floor on an existing two-story house, convert two warehouse buildings into an apartment building with the capacity of a total of 19 apartments, located on the West side of Bethune Boulevard, South of Ben Wild Road.

The Vote was as follows:

AYES: 3 – Mayor Jasmin, Deputy Mayor Desmaret, Trustee Gross

ABSTAIN: 1 - Leon

ABSENT: 1 - Delhomme



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 on the 24th day of January, 2012 at 8:15 p.m. to consider the following matters:

1. A Local Law Permitting Private Schools, Universities and Colleges to Build Swimming Pools and other Customary Outdoor Recreational Facilities on School Properties.

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
January 13, 2012

Sherry M. Scott
Village Clerk



January 24, 2012

Referral No. 2050

**RESOLUTION NO. 49 OF 2012
 OPEN PUBLIC HEARING
 LOCAL LAW PERMITTING PRIVATE SCHOOLS,
 UNIVERSITIES AND COLLEGES TO BUILD SWIMMING POOLS
 AND OTHER CUSTOMARY OUTDOOR RECREATIONAL
 FACILITIES ON SCHOOL PROPERTIES**

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

RESOLVED, that the public hearing for a Local Law permitting private schools, universities and colleges to build swimming pools and other customary outdoor recreational facilities on school properties, is hereby open.

Referral No. 2050

**RESOLUTION NO. 50 OF 2012
 CLOSE PUBLIC HEARING
 LOCAL LAW PERMITTING PRIVATE SCHOOLS,
 UNIVERSITIES AND COLLEGES TO BUILD SWIMMING POOLS
 AND OTHER CUSTOMARY OUTDOOR RECREATIONAL
 FACILITIES ON SCHOOL PROPERTIES**

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

WHEREAS, there were no speakers on the Public Hearing on whether to adopt a Local Law permitting private schools, universities and colleges to build swimming pools and other customary outdoor recreational facilities on school properties; now, therefore, it is hereby

RESOLVED, that the public hearing on whether to adopt a Local Law permitting private schools, universities and colleges to build swimming pools and other customary outdoor recreational facilities on school properties, is hereby closed.

**LOCAL LAW NO. 1 OF 2012
 VILLAGE OF SPRING VALLEY
 STATE OF NEW YORK**

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

A Local Law to amend Chapter 255 Zoning.

Be it enacted by the Board of Trustees of the Village of Spring Valley, County of Rockland, State of New York that the code of the Village of Spring Valley is hereby amended by amending existing Chapter 255, Zoning as set forth herein.

January 24, 2012

Purpose and Findings

The Village Board of Trustees finds that the Zoning Law Appendix A, Table of General Use Requirements should be amended to permit the construction by schools, universities or colleges of a swimming pool or other recreational facilities on school property without the necessity of obtaining a special permit from the Village Board as long as the new construction otherwise complies with the Village code. The existing law allows swimming pools as an accessory to a dwelling in all zones which permit one and two family homes without obtaining a special permit. This law would extend this right to schools, universities and colleges and would include the construction of other customary outdoor recreational facilities.

CHAPTER 255 ZONING

SECTION 1. §A-1. R-1 District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(13) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 2. §A-1.1 R-1A District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(13) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 3. §A-2. R-2 District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(13) Accessory swimming pools and customary outdoor recreational facilities to a private school,1 university or college.

SECTION 4. §A-3 R-3 District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(14) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 5. §A-4 R-4 District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

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(15) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 6. §A-5 RSH District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(15) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 7. §A-6 PRD District

B. Uses by special permit of the Village Board

[(3) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(15) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 8. §A-7 POR District

B. Uses by special permit of the Village Board

[(4) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(15) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

SECTION 9. §A-14 R-5 District

B. Uses by special permit of the Village Board

[(1) Customary indoor or outdoor athletic facilities as accessory to a private school, university or college.]

C. Accessory uses permitted by right.

(12) Accessory swimming pools and customary outdoor recreational facilities to a private school, university or college.

Section 10. Severability

If any section, subsection, sentence, clause or other portion of this law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the remaining portions of this law, which shall continue in full force and effect.

SECTION 11. Effective Date

Unless otherwise specified, this local Law shall take effect upon filing with the office of the Secretary of State, pursuant to section 27 of the Municipal Home Rule Law.

Underlined material is added.

Bracketed material is removed.

January 24, 2012

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 on the 24th day of January, 2012 at 8:15 p.m. to consider the following matters:

- 1. A Local Law Overriding the 2% Tax Levy Limit.

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
January 13, 2012

Sherry M. Scott
Village Clerk

Referral No. 2050

**RESOLUTION NO. 51 OF 2012
OPEN PUBLIC HEARING
LOCAL LAW OVERRIDING THE 2% CAP, TAX LEVY LIMIT**

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

RESOLVED, that the public hearing for a Local Law overriding the 2% cap, tax levy limit, is hereby open.

Referral No. 2050

**RESOLUTION NO. 52 OF 2012
CLOSE PUBLIC HEARING
LOCAL LAW OVERRIDING THE 2% CAP, TAX LEVY LIMIT**

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

WHEREAS, there were no speakers on the Public Hearing on whether to adopt a Local Law overriding the 2% cap, tax levy limit; now, therefore, it is hereby

RESOLVED, that the public hearing on whether to adopt a Local Law overriding the 2% cap, tax levy limit, is hereby closed.

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**LOCAL LAW NO. 2 OF 2011
VILLAGE OF SPRING VALLEY
STATE OF NEW YORK**

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

A Local Law to override the two percent tax cap enacted by the State of New York as Chapter 97 of NYS Laws of 2011.

Be it enacted by the Board of Trustees of the Village of Spring Valley, County of Rockland, State of New York that the Code of the Village of Spring Valley be amended by adding chapter - ___, entitled State Tax Cap Override Law of 2012/13

Purpose and Findings

The Village Board of Trustees finds that financial conditions in the Village may not permit the Village 2012/13 budget to be limited to a two percent increase.

CHAPTER ___

SECTION 1. Title

This law shall be known as State Tax Cap Override Law of 2012/13.

SECTION 2. Legislative Intent

The Board of Trustees of the Village of Spring Valley finds that the economy of the United States, the State of New York and also the Village of Spring Valley is undergoing great stress due to actions beyond the control of the Village Board. Therefore, it is difficult to determine whether the 2012/13 Village budget which will go into effect on June 1, 2012 will require any tax increase at all or, if an increase is necessary, whether it can be kept below two percent. Therefore, to provide the Board with the flexibility it requires to reach an appropriate budget for the next fiscal year, the Board adopts this local Law overriding the State Tax Cap.

Section 3. Determination

The Board hereby overrides the two percent tax cap set forth in Chapter 97 of the NYS Laws of 2011 as it relates to the Village’s budget for the fiscal year 2012/13.

SECTION 4. Severability

If any section, subsection, sentence, clause or other portion of this law is for any reason declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the remaining portions of this law, which shall continue in full force and effect.

SECTION 5. Effective Date

Unless otherwise specified, this local Law shall take effect immediately but must also be filed with the office of the Secretary of State, pursuant to section 27 of the Municipal Home Rule Law.



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Referral No. 2030/3007

**RESOLUTION NO. 53 OF 2012
APPROVAL OF ABSTRACT #548
SECTION 8**

Trustee Gross offered the following resolution, which was seconded by Deputy Mayor Desmaret 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 \$346.50, 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>
5149	Deluxe – Invoice #2022914558	\$147.50
5150	Nelrod, Payment #147	\$199.00
Total Section 8 Program Abstract for Village Board Approval		<u>\$346.50</u>

Referral No. 3029

**RESOLUTION NO. 54 OF 2012
APPROVE THE REQUEST FROM SONIA BARTON,
YOUTH BUREAU DIRECTOR, TO ROLL OVER
119 VACATION HOURS AND 351 HOLIDAY HOURS**

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

WHEREAS, over the years due to the limited staffing and in order to maintain OCFS minimum requirement, the staff at the Youth Bureau was forced to forego vacation in order to keep programs and the Civic Center open; and

WHEREAS, the Youth Bureau Director is requesting approval to roll over 119 vacation hours and 352 holiday hours; 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 approves the request from Sonia Barton, Youth Bureau Director to roll over 119 vacation hours and 352 holiday hours; be it further

RESOLVED, that 49 hours of roll over vacation time will be used by February 7 and 2 days per month will be taken off for holiday time.

Referral No. 3029

**RESOLUTION NO. 55 OF 2012
APPROVE THE REQUEST FROM SONIA BARTON,
YOUTH BUREAU DIRECTOR, TO ROLL OVER 72 HOURS OF VACATION
TIME FOR JEAN MARIE HENRY, PROGRAM ASSISTANT,
(LESS-THAN-FULL-TIME)**

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

WHEREAS, over the years due to the limited staffing and in order to maintain OCFS minimum requirement, the staff at the Youth Bureau was forced to forego vacation in order to keep programs and the Civic Center open; and

WHEREAS, the Youth Bureau Director is requesting approval to roll over 72 hours of vacation time for Jean Marie Henry, Program Assistant, (Less-Than-Full-Time); 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 Sonia Barton, Youth Bureau Director to roll over 72 hours of vacation time for Jean Marie Henry, Program Assistant, (Less-Than-Full-Time).

Referral No. 3029

**RESOLUTION NO. 56 OF 2012
APPROVE THE REQUEST FROM DOROTHIE CASIMIR
ASSISTANT COURT CLERK
TO ROLL OVER 42 HOURS OF VACATION TIME**

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

WHEREAS, Dorothe Casimir, Assistant Court Clerk is requesting approval to roll over 42 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

January 24, 2012

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from Dorothe Casimir, Assistant Court Clerk to roll over 42 hours of vacation time.

Referral No. 2066

**RESOLUTION NO. 57 OF 2012
APPROVE THE REQUEST FROM THE
JUSTICE COURT, TO PAY THE ANNUAL MEMBERSHIP FEES
TO THE NYS MAGISTRATES ASSOCIATION FOR JUSTICE ALAN M. SIMON,
JUSTICE CHRISTINE A. THEODORE AND JUSTICE DAVID FRIED**

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

WHEREAS, the Justice Court requested that the Village pay the annual membership fees to the NYS Magistrates Association for Justice Alan M. Simon, Justice Christine A. Theodore and Justice David Fried; 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 Justice Court for the Village to pay the annual membership fees to the NYS Magistrates Association for Justice Alan M. Simon, Justice Christine A. Theodore and Justice David Fried at a total cost of \$540; \$180 each.

Referral No. 3029

**RESOLUTION NO. 58 OF 2012
APPROVE THE REQUEST FROM ANNU JACOB
TO BUY BACK 10 DAYS OF SICK TIME AND
70 HOURS OF VACATION TIME**

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

WHEREAS, the Justice Court Clerk, Annu Jacob has requested to buy back 10 days of sick time and 70 hours of vacation time; 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 Justice Court Clerk, Annu Jacob to buy back 10 days of sick time and 70 hours of vacation time.

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Referral No. 3050

**RESOLUTION NO. 59 OF 2012
APPROVE THE REQUEST FROM THE VILLAGE ASSESSOR
TO CORRECT THE REFUND TO 2 SOUTH CENTRAL AVENUE,
PLANET WINGS**

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

WHEREAS, a settlement agreement regarding over-assessment for 2 South Central Avenue “Planet Wings” was approved October 22, 2011; and

WHEREAS, the Village Assessor requested a revised refund, based on the corrected equalization rate and value; and

WHEREAS, the amount for over-assessment should be \$19,099 not \$15,152; and

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

RESOLVED, that the Village Board of Trustees approve the request from the Village Assessor to correct the refund to 2 South Central Avenue, Planet Wings, a refund in the amount of \$3,947.00.

Referral No. 3032

**RESOLUTION NO. 60 OF 2012
APPROVAL OF THE REQUEST FROM THE SPRING VALLEY POLICE
DEPARTMENT TO DENY A LIQUOR LICENSE APPLICATION
FILED BY SEGUNDO BONETE FOR LA PLACITA RESTAURANT
LOCATED AT 55 S. CENTRAL AVENUE, SPRING VALLEY, NY**

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

WHEREAS, the Spring Valley Police Department has given their recommendation on the liquor license application filed by Segundo Bonete for La Placita Restaurant, located at 55 S. Central Avenue, 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 this premise in regards to law violations, specifically an illegal gambling operation which yielded three arrests in 2009 and the overall effect that late night alcohol sales and consumption have on the quality of life in the area; 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

January 24, 2012

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 application filed by Segundo Bonete for La Placita Restaurant, located at 55 S. Central Avenue, Spring Valley, NY.

Referral No. 2037

**RESOLUTION NO. 61 OF 2012
AUTHORIZATION TO GO OUT TO BID
ON A CONTRACT TO PURCHASE THE VILLAGE SCRAP METAL**

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

WHEREAS, the legal department request authorization to go out to bid on a contract to purchase the Village scrap metal; 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 to go out to bid on a contract to purchase the Village scrap metal.

Trustee Reports

Economic Development - Trustee Leon
No Report.

Fire & Safety – Trustee Gross
No Report.

Infrastructure – Trustee Delhomme
No Report.

Youth & Recreation – Deputy Mayor Desmaret
No Report.

Unfinished Business

The next item on the Agenda, Approval to Purchase Post Office Parking to Enable the Developer of Post Officer Square to Proceed with their Project, was pulled.

The next item on the Agenda, Approve the Request to Grant Rock Apostolic Church, Inc. \$10,000 for their Senior Recreational Program, was pulled.

January 24, 2012

New Business

Referral No. 2035/2034

**RESOLUTION NO. 62 OF 2012
APPROVAL OF GRANT AID,
COMMUNITY DEVELOPMENT BLOCK GRANT,
BIG BROTHERS' BIG SISTERS' PROGRAM IN THE
MARTIN LUTHER KING CENTER,
PREVENTION EFFORTS FOR DELINQUENT YOUTH**

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

WHEREAS, an application approval for grant aid from the Community Development Block Grant, Big Brothers' Big Sisters' Program is requested for the Martin Luther King Center, "Prevention Efforts for Delinquent Youth"; and

WHEREAS, such application approval 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 application approval for grant aid from the Community Development Block Grant, Big Brothers' Big Sisters' Program is requested for the Martin Luther King Center, "Prevention Efforts for Delinquent Youth".

Referral No. 2034

**RESOLUTION NO. 63 OF 2012
APPROVE THE AGREEMENT BETWEEN THE COUNTY OF ROCKLAND,
AND ITS DEPARTMENT OF HEALTH AND
THE VILLAGE OF SPRING VALLEY TO IMPLEMENT POLICY
AND ENVIRONMENTAL IMPROVEMENTS TO PURCHASE EXERCISE
EQUIPMENT FOR MEMORIAL PARK COMMUNITY CENTER**

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

WHEREAS, a request has been made to approve the agreement between the County of Rockland and its Department of Health and the Village of Spring Valley to implement policy and environmental improvements to purchase exercise equipment for Memorial Park Community Center; and

WHEREAS, the agreement is to commence on October 1, 2011 and terminate March 31, 2012; 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 of the agreement between the County of Rockland and its Department of Health and the Village of

January 24, 2012

Spring Valley to implement policy and environmental improvements to purchase exercise equipment for Memorial Park Community Center, to commence on October 1, 2011 and terminate March 31, 2012.

**ADJOURNMENT IN MEMORY OF
ALLA SIGAREVE**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Alla Sigareve, November 23, 2011.

**ADJOURNMENT IN MEMORY OF
THOMAS F. HESSIAN**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Thomas F. Hessian, December 16, 2011.

**ADJOURNMENT IN MEMORY OF
MARIA GONZALEZ**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Maria Gonzalez, December 20, 2011.

**ADJOURNMENT IN MEMORY OF
FELICIA O. AVERY**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Felicia O. Avery, December 23, 2011.

January 24, 2012

**ADJOURNMENT IN MEMORY OF
STEPHEN KLEBETZ**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Stephen Klebetz, December 23, 2011.

**ADJOURNMENT IN MEMORY OF
EUGENIA BURGOS REYES**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Eugenia Burgos Reyes, December 26, 2011.

**ADJOURNMENT IN MEMORY OF
HAZEL M. WILLIAMS**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Hazel M. Williams, January 11, 2012.

**ADJOURNMENT IN MEMORY OF
ELIZABETH "BETTY" PASCALE-KATZ**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Elizabeth "Betty" Pascale-Katz, January 13, 2012.

**ADJOURNMENT IN MEMORY OF
ROBERT DENNIS**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Robert Dennis, January 19, 2012.

January 24, 2012

**ADJOURNMENT IN MEMORY OF
BARBARA A. MCGEE**

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

RESOLVED, that the Village of Spring Valley Board of Trustees adjourns this meeting in memory of Barbara A. McGee, January 20, 2012.

**RESOLUTION NO. 64 OF 2012
ADJOURNMENT**

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

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, February 14, 2012, at eight o'clock in the evening.

Respectfully Submitted,
Sherry M. Scott
Village Clerk
