

May 12, 2015

NOTICE OF MEETING

Notice is hereby given that the Village of Spring Valley will meet in the Village Hall, Senator Gene Levy Municipal Plaza, 200 North Main Street, Spring Valley, New York on Tuesday, May 12, 2015 at 7:00 pm.

Village of Spring Valley
Clerk's Office

Dated: Spring Valley, New York
May 12, 2015

**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 the Regular Meeting of April 28, 2015.

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

Demeza Delhomme	Mayor
Anthony Leon	Deputy Mayor
Vilair Fonvil	Trustee
Emilia White	Trustee
Asher Grossman	Trustee
Special Council	Feerick Lynch MacCartney, PLLC
Herby Jean-Charles	Deputy Village Clerk

Trustee Grossman led the assembly in the salute to the flag

Mayor's Report/Office

Approval to accept one of three quotes to do repairs for the Memorial Park Ball Field.
(Set Aside)

**RESOLUTION 227 OF 2015
OPEN PUBLIC PARTICIPATION**

Trustee White offered the following resolution, which was seconded by Trustee Grossman and adopted:

WHEREAS, the public participation portion of the meeting is opened: now, therefore, it is hereby

RESOLVED, that the following person(s) appeared to address the Board and participate in this portion of the meeting.

**RESOLUTION NO. 228 OF 2015
CLOSE PUBLIC PARTICIPATION**

Trustee Grossman offered the following resolution, which was seconded by Trustee White and 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.

The next item on the Agenda – Approval to appoint Roselaure Exantus to the position of Office Service Aide, fulltime, at an hourly rate of \$17.16 in Section 8 Department pending approval from Rockland County Personnel. **Postpone to the next Board Meeting.**

**RESOLUTION NO. 229 OF 2015
APPROVAL FOR ROCKLAND COUNTY DEPARTMENT
OF PERSONNEL TO CLASSIFY NEW TITLE/POSITION FOR
SECTION 8 DEPARTMENT**

Trustee Fonvil offered the following resolution, which was seconded by Mayor Delhomme and adopted.

WHEREAS, approval is necessary for the Rockland County Department of Personnel to classify a new title/position within the Section 8 Department, and

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

RESOLVED, that the motion for the Rockland County Department of Personnel to classify a new title/position within the section 8 Department is hereby approved.

**RESOLUTION NO. 230 OF 2015
APPROVAL TO APPOINT ALINA CHYKHUN TO
THE POSITION OF HOUSING PROGRAM ASSISTANT**

Trustee Fonvil offered the following resolution, which was seconded by Mayor Delhomme and adopted.

WHEREAS, a motion was made to appoint Alina Chykhun to the position of Housing Program Assistant; and

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

RESOLVED, that the request to appoint Alina Chykhun to the position of Housing Program Assistant, , fulltime, at an hourly rate of \$24.45 in the Section 8 Department pending approval from Rockland County Personnel effective May 12, 2015, is hereby approved.

**RESOLUTION NO. 231 OF 2015
APPROVAL TO APPOINT MIRIAM PIEDRA TO
THE POSITION OF HOUSING PROGRAM ASSISTANT**

Trustee White offered the following resolution, which was seconded by Trustee Fonvil and adopted.

WHEREAS, a motion was made to appoint Miriam Piedra to the position of Housing Program Assistant; and

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

RESOLVED, that the request to appoint Miriam Piedra to the position of Housing Program Assistant, fulltime, at an hourly rate of \$24.45 in the Section 8 Department pending approval from Rockland County Personnel effective May 12, 2015 is hereby approved.

The next item on the Agenda – Approval to appoint Rachel Osias to the position of Director of School-Aged Childcare Program, Fulltime, for the after school program at the Louis Kurtz Civic Center, at an hourly rate of \$27.71 per hour as stipulated by the CSEA Union Contract. **Failed**

The next item on the Agenda – Approval to appoint Cynthia Lemoine-Germana to the position of fulltime Program Aide for the after school program at the Louis Kurtz Civic Center, at an hourly rate of \$18.79 per hour as stipulated by the CSEA Union Contract. **Failed**

May 12, 2015

The next item on the Agenda – Approval to re-appoint Brittney Fdinac to the position of Student Worker, part-time, for the after school program at the Louis Kurtz Civic Center, at an hourly rate of \$8.00 per hour as stipulated by the CSEA Union Contract. **Postpone to next Board Meeting.**

The next item on the Agenda – Approval to appoint Evan Humphrey to the position of Alternate Zoning Board Member. **Failed**

The next item on the Agenda – Approval to appoint Aaron Lerer to the position of Planning Board Member. **Failed**

**RESOLUTION NO. 232 OF 2015
APPROVAL TO ACCEPT THE RETIREMENT
OF LIEUTENANT ROBERT M. KLEINERTZ**

Trustee White offered the following resolution, which was seconded by Trustee Fonvil and adopted:

WHEREAS, a motion was made to accept the retirement of Lieutenant Robert M. Kleinertz who is retiring after 27 years of service from the Spring Valley Police Department; 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 accepts the retirement of Robert M. Kleinertz after 27 years of service from the Spring Valley Police Department effective May 12, 2015, and is hereby approved.

**RESOLUTION NO. 233 OF 2015
PUBLIC HEARING TO ISSUE A SPECIAL PERMIT
TO SPRING VALLEY HOTEL/BHAVI HOTEL LLC
TO CONSTRUCT A 5 STORY HOTEL**

Trustee Fonvil offered the following resolution, which was seconded by Trustee Grossman and adopted.

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

RESOLVED, that the public hearing to consider whether to issue a Special Permit to Spring Valley Hotel/Bhavi Hotel LLC to construct a 5 story hotel with an indoor pool, 87 hotel rooms, 91 parking spaces in the PLI Zoning District, the property is located on the east end of Spring Valley Marketplace in the Village of Spring Valley, County of Rockland, Town of Clarkstown and designated on the tax map as Section 57.67, Block 1, Lot 1.2, is hereby granted.

**RESOLUTION NO. 234 OF 2015
PUBLIC HEARING TO ISSUE A SPECIAL PERMIT
TO HOLIDAY INN-EXPRESS SPRING VALLEY
TO CONSTRUCT A BUSINESS HOTEL**

Trustee Fonvil offered the following resolution, which was seconded by Mayor Delhomme and adopted.

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

RESOLVED, that the public hearing to consider whether to issue a Special Permit to Holiday Inn-Express Spring Valley to construct a 103 room, 4 story business hotel in the HB Zoning District, the property is located at 67 East Route 59 in the Village of Spring Valley, County of Rockland, Town or Clarkstown and designated on the tax map as Section 57.65, Block 1, Lot 6, is hereby granted.

**RESOLUTION NO. 235 OF 2015
AUTHORIZAING PAYMENT OF BILLS
FOR THE VILLAGE OF APRING VALLEY
APPROVAL OF ABSTRACTS**

Trustee Grossman offered the following resolution, which was seconded by Mayor Delhomme and 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 of 1014/2015 adopted budget; and

WHEREAS, Mayor Demeza Delhomme 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 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 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.

DATE: May 12, 2014

GENERAL ABSTRACT #2014/48

Amount \$522,535.74

Claim# 56034135 thru 56034366

**RESOLUTION NO. 236 OF 2015
AUTHORIZAING PAYMENT OF BILLS
FOR THE VILLAGE OF APRING VALLEY
POST AUDIT ABSTRACTS**

Trustee Grossman offered the following resolution, which was seconded by Mayor Delhomme and 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 of 1014/2015 adopted budget; and

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

DATE: May 12, 2015

POST AUDIT ABSTRACT

Amount \$1,193,670.46

Claim #56033969 thru #56034352

**RESOLUTION NO 237 OF 2015
AUTHORIZE THE MAYOR TO EXECUTE
ALL DOCUMENTS FOR A TAX WARRANT FOR THE
VILLAGE OF SPRING VALLEY - FISCAL YEAR 2015/2016**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil and adopted:

WHEREAS: the Village Treasurer requests the Mayor to execute all documents for a Tax Warrant for the Village of Spring Valley for fiscal year 2015/2016; and

May 12, 2015

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

RESOLVED: that Mayor Delhomme will execute all documents for a Tax Warrant for the Village of Spring Valley for fiscal year 2015/2016.

**RESOLUTION NO. 238 OF 2015
APPROVE REQUEST FROM MAYOR DELHOMME
TO GIVE \$3,500 TO IFG PRODUCTIONS FOR
HAITIAN DAY PARADE OF UNITY**

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

WHEREAS, the Legal Department has made a motion to request from Mayor Delhomme to give \$3,500 to IFG Productions for recreational services for the 2015 Haitian Day Parade of Unity and authorizing the Mayor to sign said agreement; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request from Mayor Delhomme to give \$3,500 to IFG Productions for recreational services for the 2015 Haitian Day Parade of Unity and authorizing the Mayor to sign said agreement

**RESOLUTION NO. 239 OF 2015
APPROVE INVOICE TO FEERICK LYNCH
MacCARTNEY, PLLC FOR LEGAL SERVICES
RENDERED TO THE VILLAGE OF SPRING VALLEY**

Trustee Fonvil offered the following resolution, which was seconded by Trustee White and adopted:

WHEREAS, the Legal Department has requested approval to pay invoice Number 31902 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$26,207.43; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request to pay Invoice Number 31902 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$26,207.43.

**RESOLUTION NO. 240 OF 2015
APPROVE AGREEMENT BETWEEN HI-TOR
ANIMAL CARE CENTER, INC. AND THE
VILLAGE OF SPRING VALLEY**

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

WHEREAS, the Legal Department has requested approval of the agreement between Hi-Tor Care Center, Inc. and the Village of Spring Valley and authorization for the Mayor to sign said agreement; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the request to give \$3,500 to IFG Productions for recreational services for the 2015 Haitian Day Parade of Unity and authorizing the Mayor to sign said agreement.

**RESOLUTION NO. 241 OF 2015
APPROVE AGREEMENT BETWEEN NYACK HOSPITAL
EMPLOYEES ASSISTANCE PROGRAM (EAP) AND
THE VILLAGE OF SPRING VALLEY**

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

WHEREAS, the Legal Department has requested approval for the 2015/2016 agreement between Nyack Hospital Employee Assistance Program (EAP) in the amount of \$5,600.00 and the Village of Spring Valley and authorization for the Mayor to sign said agreement; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the 2015/2016 agreement between Nyack Hospital Employee Assistance Program (EAP) in the amount of \$5,600.00 for 156 employees and the Village of Spring Valley and authorization for the Mayor to sign said agreement.

**RESOLUTION NO. 242 OF 2015
APPROVE THE RESOLUTION TO CHANGE
THE NAME OF RIDGE ROAD TO RIDGE LANE**

Trustee White offered the following resolution, which was seconded by Trustee Fonvil and adopted:

WHEREAS, the Legal Department has requested approval to rename the road located off of Ridge Avenue, which is a private road to Ridge Lane.

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the renaming of the road located off of Ridge Avenue, which is a private road to Ridge Lane.

**RESOLUTION NO. 243 OF 2015
APPROVE TRANSFER OF MAIN STREET URBAN
RENEWAL PROJECT FROM DESIGNATED
DEVELOPER TO NEW OWNER**

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

WHEREAS, the Legal Department has requested approval to consent to the transfer of Main Street Urban Renewal Project area Site 3 Commercial Property from designated developer to new owner; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees hereby approves the transfer of Main Street Urban Renewal Project area Site 3 Commercial Property from designated developer to new owner.

May 12, 2015

**RESOLUTION NO. 244 OF 2015
APPROVE THE REQUEST TO REFUND
MR FRIEDMAN FOR A RETAINER DEPOSIT**

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

WHEREAS, Manny Carmona, Deputy Building Inspector, requests to refund Mr. Friedman in the amount of \$1,200.00 for a retainer deposit made for temporary trailers permit number BP2015015, for the property located at 80 West Street; 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 Manny Carmona, Deputy Building Inspector to refund Mr. Friedman in the amount of \$1,200.00 for a retainer deposit made for temporary trailers permit number BP2015015, for the property located at 80 West Street.

The next item on the Agenda – Approve the request from the Building Department to send Jackenton Lavalasse, Frank Youngman and Raymond Guarnuccio to the NYS Fire Marshals and Inspectors Association Educational Conference for the completion of their 2015 24 hours NYS In-Service Training. From September 1, 2015 through September 4, 2015 at a cost of \$1,374.00 to Village for the training, plus tolls, gas, meals and any other incidentals. **Postpone to the Next Board Meeting.**

**RESOLUTION NO. 245 OF 2015
APPROVE REQUEST FROM COURT CLERK
ELSIE CHERON FOR SIX COURT OFFICERS TO
ATTEND THEIR ANNUAL RE-CERTIFICATION CLASS
AT THE ROCKLAND COUNTY POLICE ACADEMY**

Trustee White offered the following resolution, which was seconded by Trustee Fonvil and adopted:

WHEREAS, Court Clerk, Elsie Cheron is request the approval to allow six court officers to attend their annual re-certification class at the Rockland Police Academy; 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 Court Clerk, Elsie Cheron to allow six court officers to attend their annual re-certification class at the Rockland Police Academy on June 5, 2015 at 8:00 am; and it is further

RESOLVED, that the cost is to be paid by the Village at \$125.00 per officer and ammunition will be reimbursed upon submission of original receipt and the court officers will be paid for time spent at this re-certification.

The next item on the Agenda – Approval of the request from Chief Modica to allow PO Francis Brooke to attend the School Resource Officer Conference from July 5, 2015 – July 9, 2015 in Orlando, Florida. The total cost of the conference will be \$1,534.66 which includes the conference, airfare, and hotel. All supporting documentation is attached. **Failed**

**RESOLUTION NO. 254 OF 2015
AUTHORIZE WALTER BOOKER TO RETURN
TO WORK IN THE BUILDING DEPARTMENT**

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

WHEREAS, Walter Booker was previously employed by the Village of Spring Valley, New York, in the capacity of a Building Inspector, and

WHEREAS, based upon certain reasoning the Village Mayor terminated Mr. Booker as a Village employee; and

WHEREAS, subsequent to that termination, Mr. Booker brought litigation in which he sought reinstatement; and

WHEREAS, subsequent to the appearance in court of Mr. Booker concerning his litigation, counsel for Mr. Booker provided a copy of a list from New York State indicating that Mr. Booker had undertaken to obtain the requisite hours required in 2015; and

WHEREAS, since the aforementioned list currently exists and the Village Board wishes to further consider this matter; now, therefore, it is hereby

RESOLVED, by the Board of Trustee as follows:

Section 1. The Village hereby ratifies and affirms each and every “whereas” paragraph above As though set forth in full herein.

Section 2. The Village Board of Trustees hereby by majority vote directs that Walter Booker return to the Building Department within the Village to undertake activities and duties as the Building Inspector for the Village, pending a court determination on the issue.

Section 3. This resolution shall be effective immediately.

**RESOLUTION NO. 255 OF 2015
ADJOURNMENT**

Trustee White offered the following resolution which was seconded by Trustee Grossman and adopted:

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, May 26, 2015 at eight o'clock in the evening
