

November 10, 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 November 10, 2015 at 7:00 pm.

Village of Spring Valley
Clerk's Office

Dated: Spring Valley, New York
November 10, 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 October 27, 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
Herby Jean-Charles	Deputy Village Clerk

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

**RESOLUTION 545 OF 2015
OPEN PUBLIC PARTICIPATION**

Trustee Fonvil offered the following resolution, which was seconded by Trustee White and unanimously 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. 546 OF 2015
CLOSE PUBLIC PARTICIPATION**

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

The next item on the Agenda: Approval to establish one part-time Fire Safety Inspector position within the Village of Spring Valley, **Failed.**

The next item on the Agenda: Approval to create two part-time Fire Safety Inspector positions within the Village of Spring Valley as classified by Rockland County Personnel, **Failed.**

The next item on the Agenda: Approval to appoint Evan Humphrey to the position of part-time Fire Safety Inspector at an hourly rate of \$23.80 pending classification from Rockland County Department of Personnel, **Failed**.

The next item on the Agenda: Approval to appoint David Santos to the position of part-time Inspector at an hourly rate of \$23.80 pending the classification and approval from Rockland County Department of Personnel, **Failed**.

The next item on the Agenda: Approval to appoint Raphael Ziegler to the position of part-time Fire Safety Inspector at an hourly rate of \$23.80 pending the classification and approval from Rockland County Department of Personnel, **Failed**.

The next item on the Agenda: Approval to establish one full-time Parking Enforcement Aide (French/Creole Speaking) within the Village of Spring Valley pending classification from Rockland County Personnel, **Failed**.

The next item on the Agenda: Approval to establish one full-time Parking Enforcement Aide (Yiddish Speaking) within the Village of Spring Valley pending classification from Rockland County Personnel, **Failed**.

The next item on the Agenda: Approval to appoint Aleksandr Fridman provisionally to the position of full-time Parking Enforcement Aide (Yiddish Speaking) within the Village of Spring pending approval and classification from Rockland County Personnel and salary to be determined by CSEA, **Failed**.

**RESOLUTION NO. 547 OF 2015
APPROVAL TO PAY INVOICE NUMBER 32885
FROM FEERICK LYNCH MACCARTNEY, PLLC
FOR LEGAL SERVICES**

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

WHEREAS, approval is requested to pay invoice number 32885 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$959.60; 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 for approval to pay invoice number 32885 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$959.60, is hereby approved

**RESOLUTION NO. 548 OF 2015
APPROVAL TO PAY INVOICE NUMBER 32884
FROM FEERICK LYNCH MACCARTNEY, PLLC
FOR LEGAL SERVICES**

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

WHEREAS, approval is requested to pay invoice number 32884 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$6,432.48; 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 for approval to pay invoice number 32884 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$6,432.48, is hereby approved.

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**RESOLUTION NO. 549 OF 2015
APPROVAL TO PAY INVOICE NUMBER 32885
FROM FEERICK LYNCH MACCARTNEY, PLLC
FOR LEGAL SERVICES**

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

WHEREAS, approval is requested to pay invoice number 32883 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$26,666.72; 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 for approval to pay invoice number 32883 to Feerick Lynch MacCartney, PLLC for legal services rendered to the Village of Spring Valley in the amount of \$26,666.72, is hereby approved.

The next item on the Agenda: Approval to install GPS tracking systems in every Village of Spring Valley vehicle. **Failed.**

The next item on the Agenda: Approval for the Mayor to attend the United States Conference of Mayors for a Mayoral conference on January 20, 2016 thru January 22, 2016 in the amount of \$2,816.00. This amount includes 4 nights at the Capital Hilton (Mini-Suite) and \$1,200.00 registration fees, plus any other conference related expenses, was **Postponed to the Next Board Meeting.**

**RESOLUTION NO. 550 OF 2015
APPROVAL FOR THE VILLAGE OF SPRING VALLEY
TO ENTER INTO A INTERMUNICIPAL AGREEMENT
WITH THE COUNTY OF ROCKLAND TO ACCEPT
THREE COUNTY OWNED BUSES**

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

WHEREAS, the Legal Department has requested approval for the Village of Spring Valley to enter into a Inter-municipal agreement with the County of Rockland to accept three County owned buses; and

WHEREAS, these buses are needed to continue to aid the operation of the “Spring Valley Jitney” bus service and authorize the Mayor to sign said agreement; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the Village of Spring Valley to enter into a Inter-municipal agreement with the County of Rockland to accept three County owned buses to continue to aid the operation of “Spring Valley Jitney” bus service and authorize the Mayor to sign said agreement.

**RESOLUTION NO. 551 OF 2015
APPROVAL OF SUMMER FEEDING ABSTRACT**

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

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WHEREAS, Community Development has requested approval of the Summer Feeding Abstract #11, November 2015 in the amount of \$1,581.25; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the Community Development request of the Summer Feeding Abstract #11, November 2015 in the amount of \$1,581.25.

**RESOLUTION NO. 552 OF 2015
APPROVE REQUEST TO TRANSFER SICK TIME FROM
KEVIN WILLIAMS TO FRITZ ERNEST'S SICK TIME**

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

WHEREAS, Robert Johnson, Acting Superintendent of DPW is requesting to transfer 32 hours sick time from Kevin Williams to Fritz Ernest's sick time due to a medical leave; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the request for Kevin William to transfer 32 hours sick time to Fritz Ernest's sick time due to a medical leave.

**RESOLUTION NO. 553 OF 2015
AUTHORIZAING PAYMENT OF BILLS
FOR THE VILLAGE OF APRING VALLEY
SECTION 8**

Trustee White offered the following resolution, which was seconded by Trustee Fonvil 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 of 2015/2016 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.

SECTION 8

ABSTRACT #602

DATE: NOVEMBER 10, 2015

AMOUNT: \$1,676.33

November 10, 2015

**RESOLUTION NO. 554 OF 2015
AUTHORIZAING PAYMENT OF BILLS
FOR THE VILLAGE OF APRING VALLEY
GENERAL ABSTRACT**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil 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 of 2015/2016 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: November 10, 2015

GENERAL ABSTRACT #2015/23

Amount: \$2,685.557.68

Claim: #50635868 thru 56036008

**RESOLUTION NO. 555 OF 2015
AUTHORIZAING PAYMENT OF BILLS
FOR THE VILLAGE OF APRING VALLEY
POST AUDITED GENERAL ABSTRACT**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil 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 of 2015/2016 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: November 10, 2015

POST AUDITED GENERAL ABSTRACT #2015/11

Amount: \$482,804.29

Claim: #56035861 thru 56035956

TRUSTEE'S REPORTS

Youth & Recreation – Trustee White: *On October 29, 2015 the Y.P.I. Program had their Graduation, you were there Mayor, and 23 kids graduated. It was really nice, next time I am going to have to make sure the rest of the Board attends, it would be nice to have the whole Board or as many people as possible attend. I spoke to one mother, who said Trustee White this program is the best thing that could have*

happened to me, this program saved my son. I cried because these are the type of things that you want to hear, I begged her to come up and say it, but she did not want to come up and say it in front of the public. We had a lot of fun, I cooked and some people wanted recipes, but the things with Haitian cooking is that there is no recipe. Trustee White suggested before the meeting ends that there should be a moment of silence taken in honor of all the Veterans.

Fire & Safety – Trustee Grossman: *Lt. Oleszczuk is here from the Police Department and he is going to present his report from the Police Department, as part of Fire and Safety. Lt. Oleszczuk presented his report from the Police Department to the Board of Trustees and the community.*

Infrastructure – Deputy Mayor Leon: *Absent*

Economic Development/Community Development – Trustee Fonvil: *No Report*

The next item on the Agenda: Approval to appoint Mirlene G. Jean-Charles to the position of Office Service Aide in the Section 8 Department , full-time, at an hourly rate of \$17.16, **Failed.**

**RESOLUTION NO. 556 OF 2015
RESOLUTION REGARDING HIRING LORENZO GARNER TO SERVE AS
OMBUDSMAN FOR COMPLIANCE WITH THE
OCTOBER 6, 2015 ORDER OF THE DEPARTMENT OF STATE**

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

WHEREAS, the Village Board for the Village of Spring Valley, New York (“Village Board”) seeks to gain timely and proper compliance with the October 6, 2015 Order of the Department of State (“Order”); and

WHEREAS, the Village Board recognizes that compliance with the State Order is of an emergent nature and that the hiring of an independent contractor is needed to address the emergency issues presented to the Village as a result of the issues raised in the Order; and

WHEREAS; the Village Board seeks to retain the services of the Ombudsman to assist the Village in complying with the State Order; and

WHEREAS, the Ombudsman will ensure that proper compliance with the State Order is achieved by coordinating efforts among the involved Village Departments, the Mayor, and the Board of Trustees;

WHEREAS, the Ombudsman will have full access to all required Village staff and employees as well as the assigned attorneys of Feerick Lynch MacCartneyr, PLLC; and

WHEREAS, the Village Board finds that Lorenzo Garner (“Mr. Garner”) is a duly qualified individual with the necessary skills to undertake said services; and

WHEREAS, Mr. Garner, as the Ombudsman, will be compensated for his services at such rates as from time to time the Village shall provide regarding payment and at this time the rate is set for payment at \$125 per hour; and

WHEREAS, the Village as well as Mr. Garner may at any time terminate this hiring as an independent contractor upon 30 days written notice to the other; now, therefore, it is hereby

RESOLVED, by the Board of Trustees 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 hereby hires Lorenzo Garner as an Independent Contractor to serve as an Ombudsman with regard to the State Order for the duties as more fully set forth hereinabove.

Section 3. An hourly rate of \$125.00.

Section 4. This Resolution shall take effect immediately.

November 10, 2015

**RESOLUTION NO. 557 OF 2015
SETTING A DATE FOR A PUBLIC HEARING FOR THE PURPOSE OF
AMENDING LOCAL LAW NUMBER 6 OF 2012
VILLAGE ORDINANCES WITH RESPECT TO BUILDING, FIRE PREVENTION &
TAXICAB CODES**

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

WHEREAS, the Village Board of the Village of Spring Valley, New York (the "Village Board") previously enacted Village ordinances with respect to building and fire prevention codes (hereinafter "Village Codes"); and

WHEREAS, the Village Board desires to schedule a Public Hearing to consider such amendments to the Village Code as set forth below; now, therefore, it is hereby

RESOLVED, by the Village Board as Follows:

1. All "WHERAS" paragraphs are incorporated herein by reference as though set forth in full herein.
2. The Board hereby authorizes the Clerk to schedule a Public Hearing on November 24, 2015 at 7:00 pm for the proposed amendments and additions to the Village Code in accordance with the October 6, 2015 Order from the New York State Department of State as well as a Public Hearing to review changes on the Village Code concerning taxicabs. A copy of the proposed Local Laws shall be made available to the public and all concerned during regular Village Hours as directed by law.
3. This Resolution shall take place effective immediately.

**RESOLUTION NO. 558 OF 2015
APPROVAL TO CHANGE THE DATE OF
RE-ORGANIZATIONAL MEETING**

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

WHEREAS, approval to change the date of the Re-organizational Meeting from Monday, December 7, 2015 to Tuesday, December 8, 2015 at 7:00 pm; and

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

RESOLVED, that the Village of Spring Valley Board of Trustees approves the change of the date of the Re-organizational Meeting from Monday, December 7, 2015 to Tuesday, December 8, 2015 at 7:00 pm.

**RESOLUTION NO. 559 OF 2015
ADJOURNMENT**

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

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, November 24, 2015, at 7:00 o'clock in the evening

Respectfully submitted
Village Clerk's Office

IN MEMORY OF

All the Veterans
Francis Jamar Green
Florine Decosta