

October 13, 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, October 13, 2015 at 7:00 pm.

Respectfully Submitted
Village Clerk's Office

Dated: Spring Valley, New York
September 24, 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 Meeting of September 23, 2015 meeting.

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

Demeza Delhomme	Mayor
Anthony Leon	Deputy Mayor
Vilair Fonvil	Trustee
Asher Grossman	Trustee
Emilia White	Trustee (Absent)
Feerick Lynch MacCartney	Special Counsel
Herby Jean-Charles	Deputy Village Clerk

The pledge of allegiance was led by Trustee Grossman

Mayor's Report *No report*

Referral No. 2059

**RESOLUTION NO. 482 OF 2015
OPEN PUBLIC PARTICIPTION**

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

Referral No. 2037

**RESOLUTION NO 443 OF 2015
CLOSE PUBLIC PARTICIPATION**

Trustee Grossman offered the following resolution, which was seconded by Trustee Fonvil 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 create a Part time Fire Safety Inspector position within the Building Department pending approval from Rockland County Department of Personnel; **failed**.

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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 approval from Rockland County Department of Personnel. **Was postponed** to the next Village Board Meeting.

The next item on the agenda, approval to appoint Yvet Coriolan to the position of Grounds Worker, Fulltime, at an hourly rate of \$17.16. ; **failed**.

The next item on the agenda, Approval to appoint Galo A Aguayo Yanchatipan to the position of MEO I, Fulltime, at an hourly rate of \$20.82; **failed**.

**RESOLUTION NO. 484 OF 2015
ESTABLISH THE POSITION OF
HOUSING ASSISTANCE ADMINISTRATOR I FULL TIME
WITHIN THE SECTION 8 DEPARTMENT**

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

WHEREAS, the Village of Spring Valley is requesting that the position Housing Assistance Administrator I (Full Time) in the Section 8 Department be established as it has been classified by the County of Rockland, Department of Personnel; 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 the approval of establishing the position Housing Assistance Administrator I (Full Time) in the Section 8 Department, is hereby approved.

**RESOLUTION NO. 485 OF 2015
APPROVAL TO APPOINT ROSELAURE EXANTUS
TO THE POSITION OF OFFICE SERVICE AIDE FULL-TIME
WITHIN THE SECTION 8 DEPARTMENT**

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

WHEREAS, Mayor Delhomme has requested to appoint Roselaure Exantus to the position of Office Service Aide within the Section 8 Department at an hourly rate of \$17.16 per hour; and

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

RESOLVED, that the request to appoint Roselaure Exantus to the position of Office Service Aide within the Section 8 Department at an hourly rate of \$17.16 per hour with an effective start date of November 2, 2015.

Referral No. 2030

**RESOLUTION NO. 486 OF 2015
REQUEST TO PAY INVOICE NUMBER 32713
TO FEERICK LYNCH, MACCARTNEY, PLLC
FOR LEGAL SERVICES RENDERED**

Deputy Mayor Leon offered the following resolution, which was seconded by Mayor Delhomme and adopted:

WHEREAS, the Legal Department requests approval to pay invoice number 32713 to Feerick Lynch MacCartney PLLC for legal services rendered to the Village of Spring Valley in the amount of \$1,237.50; 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 pay invoice number 32713 to Feerick Lynch MacCartney in the amount of \$1,237.50 is hereby approved.

**RESOLUTION NO. 487 OF 2015
REQUEST TO PAY INVOICE NUMBER 32712
TO FEERICK LYNCH, MACCARTNEY, PLLC
FOR LEGAL SERVICES RENDERED**

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

WHEREAS, the Legal Department requests approval to pay invoice number 32712 to Feerick Lynch MacCartney PLLC for legal services rendered to the Village of Spring Valley in the amount of \$18,929.46; 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 pay invoice number 32712 to Feerick Lynch MacCartney in the amount of \$18,929.46 is hereby approved.

**RESOLUTION NO. 488 OF 2015
MOTION TO SUSPEND THE RULES TO MOVE
AGENDA ITEM 6C, 6D, 6E TO THE END OF THE MEETING**

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

WHEREAS, there was a motion made to suspend the rules to move agenda items 6c, 6d and 6e to the end of the meeting for executive discussion purposes; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules and move agenda item 6d to the end of the meeting for executive discussion purposes.

**RESOLUTION NO. 489 OF 2015
AUTHORIZE PAYMENT TO DAVID FRIED PC
IN THE AMOUNT OF \$7,500.00**

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

WHEREAS, the Village Board of Trustees authorizes payment to David Fried PC in the amount of \$7,500.00 subject to discontinuance of pending litigation, and the account is fully paid off; and

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

RESOLVED, the Village Board of Trustees approves the authorization of payment to David Fried PC in the amount of \$7,500.00 subject to discontinuance of pending litigation, and the account is fully paid off.

The next item on the agenda Approval to authorize issuance of an RFP to install curbs and sidewalks on Crispus Attucks Street, **Was postponed** to the next Village Board Meeting.

**RESOLUTION NO. 490 OF 2015
APPROVE THE REQUEST FROM LIEUTENANT SCHNAARS
TO ACCEPT THE P.T.S GRANT
IN THE AMOUNT OF \$9,450.00**

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

WHEREAS, Lieutenant Schnaars is requesting approval to accept the P.T.S. Grant from the New York State Governor's Traffic Safety Committee in the amount of \$9,450.00; and

WHEREAS, this money will go to reimburse the Village of Spring on overtime spent to enforce seatbelt laws and combat specific types of distracted and aggressive driving; 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 Board of Trustee approve the request from Lieutenant Schnaars to accept the P.T.S. Grant from the New York State Governor's Traffic Safety Committee in the amount of \$9,450.00.

Referral No. 2037

**RESOLUTION NO. 491 OF 2015
APPROVE THE REQUEST FROM LIEUTENANT BOSWORTH
TO ACCEPT THE CHILD SAFETY SEAT PROGRAM FOR 2015/2016
IN THE AMOUNT OF \$2,750.00**

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

WHEREAS, Lieutenant Bosworth is requesting approval to accept the Child Safety Seat Program for 2015/2016 in the amount of \$2,750.00; and

WHEREAS, this money will go to the Village of Spring Valley Police Department to allow the Police Department to be able inspect, install, and give away safety seat to Village Residents who cannot afford it; 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 Board of Trustee approve the request from Lieutenant Bosworth to accept the Child Safety Seat Program for 2015/2016 in the amount of \$2,750.00 to allow the Police Department to be able inspect, install, and give away safety seat to Village Residents who cannot afford it.

**RESOLUTION NO. 492 OF 2015
APPROVE THE REQUEST FROM VILLAGE TREASURER
TO CHANGE THE VILLAGE EMPLOYEES
LIFE INSURANCE CARRIER FROM
PRUDENTIAL TO MUTUAL OMAHA**

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

WHEREAS, Elaine Sheppard PPI Benefits Account Manger made the request to the Village Treasurer to change Village Employees life insurance carrier from Prudential to Mutual Omaha; and

WHEREAS, the change of life insurance carrier will save the Village \$7,032.00 annually for the Employees life insurance premiums; 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 Board of Trustees approve the request from Elaine Sheppard PPI Benefits Account Manger to the Village Treasurer to change Village Employees life insurance carrier from Prudential to Mutual Omaha, saving the Village \$7,032.00 annually for the Employees life insurance premiums.

**RESOLUTION NO. 493 OF 2015
APPROVE THE REQUEST FROM VILLAGE TREASURER
TO PAY THE VILLAGE CREDIT CARD ON PAST DUE CHARGES
IN THE AMOUNT OF \$3,671.81**

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

WHEREAS, the Village Treasurer is requesting that the Village of Spring Valley pay the past due charges on the Village credit card in the amount of \$3,671.81; 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 Board of Trustee approves the request from the Village Treasurer to pay the past due charges on the Village credit card in the amount of \$3,671.81.

**RESOLUTION NO. 494 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(APPROVAL OF ABSTRACTS)**

Deputy Mayor Leon offered the following resolution, which was seconded by Mayor 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 2015/2016 budget; and

WHEREAS, Mayor 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 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: October 13, 2015

GENERAL ABSTRACT #2015/19

Amount \$131,993.02 Claim #56035600 thru #56035769

**RESOLUTION NO. 495 OF 2015
AUTHORIZING PAYMENT OF BILLS
FOR THE VILLAGE OF SPRING VALLEY
(POST AUDIT ABSTRACTS)**

Deputy Mayor Leon offered the following resolution, which was seconded by Mayor 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 2015/2016 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 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 POST AUDIT GENERAL ABSTRACTS

DATE: October 13, 2015

POST AUDITED GENERAL ABSTRACT #2015/9

Amount \$998,527.60 Claim #56035585 thru #56035760

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APPROVAL OF POST AUDIT CAPITAL ABSTRACT

DATE: October 13, 2015

POST AUDITED CAPITAL ABSTRACT ABSTRACT#2015/C3

Amount \$535,543.25 Claim #56035594 thru #56035594

APPROVAL OF POST AUDIT TRUST AGENCY ABSTRACTS

DATE: October 13, 2015

POST AUDITED TRUST AGENCY ABSTRACT#2015/T3

Amount \$3,000.00 Claim #56035598 thru #56035598

**RESOLUTION NO. 496 OF 2015
APPROVAL TO REFUND BOND FOR ETTTEL SCHWARTZ
FOR LANDSCAPING WORK DONE FOR THE PROPERTY LOCATED AT
43 NORTH COLE AVENUE SPRING VALLEY NEW YORK 10977
IN THE AMOUNT OF \$7,000.00**

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

WHEREAS, the Building Department is requesting that Ettel Schwartz be refunded his bond deposit that was made on March 6, 2015 in the amount of \$7,000.00 for landscaping work that was being done at 43 North Cole Avenue, Spring Valley, New York 10977; and

WHEREAS, the Building Department has verified that all the landscaping work has been completed for the property located at 43 North Cole Avenue, Spring Valley, New York 10977; 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 Board of Trustees grants the request from the Building Department to refund Ettel Schwartz his bond in the amount of \$7,000.00 that he made on March 6, 2015 for landscaping work being done at 43 North Cole Avenue Spring Valley, New York 10977.

**RESOLUTION NO. 497 OF 2015
APPROVAL OF THE REQUEST FROM
ELSIE CHERON COURT CLERK
TO PAY AMF ENTERPRISES FOR SERVICES RENDERED
FOR A JURY TRIAL ON SEPTEMBER 25, 2015**

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

WHEREAS, Court Clerk, Elsie Cheron has requested that the Village of Spring Valley pay AMF Enterprises for services rendered for a jury trial on September 25, 2015; 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 Board of Trustees grants the request from Court Clerk, Elsie Cheron to pay AMF Enterprises for services rendered for a jury trial on September 25, 2015.

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**RESOLUTION NO. 498 OF 2015
APPROVAL TO PAY THE
ANNUAL MEMBERSHIP DUES FOR THE
VILLAGE CLERKS AND FINANCE OFFICERS ASSOCIATION
IN THE AMOUNT OF \$35.00**

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

WHEREAS, the Village Clerk's Office is requesting that the annual membership dues be paid in the amount of \$35.00 for the Village Clerks and Finance Officers Association; 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 Board of Trustees grants the request from the Village Clerk's Office to pay the annual membership dues in the amount of \$35.00 for the Village Clerks and Finance Officers Association.

**RESOLUTION NO. 499 OF 2015
APPROVAL OF THE REQUEST FROM
ROBERT JOHNSON TO TRANSFER
80 HOURS OF SICK TIME FROM
PAUL MILLIEN TO FRITZ ERNEST'S SICK TIME**

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

WHEREAS, Robert Johnson has requested to transfer 80 hours of Sick Time from Paul Millien to Fritz Ernest's Sick time due to Fritz Ernest being out on medical leave.

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

RESOLVED, that the Village Board of Trustees grants the request from Robert Johnson to transfer 80 hours of Sick Time from Paul Millien to Fritz Ernest's Sick time due to Fritz Ernest being out on medical leave.

Referral No. 2064

**RESOLUTION NO. 500 OF 2015
APPROVAL OF TIME SHEETS
FOR THE SUMMER FEEDING PROGRAM**

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

WHEREAS, Community Development requests approval of signed vouchers and time sheets for October in the amount of \$1,112.50 for the Summer Feeding Program; and

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

RESOLVED, the request for approval of signed vouchers and time sheets for October in the amount of \$1,112.50 for the Summer Feeding Program is approved.

**RESOLUTION NO. 501 OF 2015
APPROVAL TO PAY
COMMUNITY DEVELOPMENT ABSTRACT 2015/1
IN THE AMOUNT OF \$1,112.50**

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

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WHEREAS, Community Development is requesting approval to pay abstract number 2015/1 in the amount of \$1,112.50, and

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

RESOLVED, that the Village Board of Trustees approves the request from Community Development to pay abstract number 2015/1 in the amount of \$1,112.50.

**RESOLUTION NO. 502 OF 2015
APPROVAL TO REJECT THE BID OFFER
RECEIVED FROM TILCON FOR THE 2013-2015 CDBG
PAVING CURBS AND SIDEWALK PROJECT**

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

WHEREAS, the Office of Community Development has requested that the Village Board of Trustees reject the only bid offer from Tilcon for the 2013-2015 CDBG paving curbs and sidewalk project; and

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

RESOLVED, that the Village Board of Trustees approves the request from the Office of Community Development to reject the only bid offer from Tilcon for the 2013-2015 CDBG paving curbs and sidewalk project

The next item on the agenda, approval to re-bid the 2013-2015 CDBG Project as two separate entities milling and paving and the other for curbs and sidewalks **Was postponed** to the next Village Board Meeting.

**RESOLUTION NO. 503 OF 2015
APPROVAL OF THE REQUEST FROM
THE VILLAGE ASSESSOR TO REINSTATE
1 CHARLOTTE PLACE AS A CLERGY RESIDENT
OWNED BY A NON-PROFIT ORGANIZATION**

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

WHEREAS, the Village Assessor has requested that 1 Charlotte Place, Spring Valley, New York 10977 be reinstated to its status of a Clergy Resident owned by a Non-Profit Organization; and

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

RESOLVED, that the Village Board of Trustees approves the request from the Village Assessor to reinstate 1 Charlotte Place, Spring Valley, New York 10977 to its status of a Clergy Resident owned by a Non-Profit Organization.

**RESOLUTION NO. 504 OF 2015
MOTION TO SUSPEND THE RULES TO MOVE
AGENDA ITEMS 14B, 14C AND 14D TO THE END OF THE MEETING**

Referral No. 3069

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

WHEREAS, there was a motion made to suspend the rules to move agenda items 14b, 14c and 14d to the end of the meeting for executive discussion purposes; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules and move agenda items 14b, 14c and 14d to the end of the meeting for executive discussion purposes.

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**RESOLUTION NO. 505 OF 2015
APPROVAL FOR THE VILLAGE TREASURER
TO PREPARE A CORRECTED TAX BILL FOR
74 NORTH COLE AVENUE**

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

WHEREAS, the Village Assessor has requested that the Village Treasurer send out a corrected tax bill for 74 North Cole Avenue Spring Valley, New York 10977 due to clerical error; and

WHEREAS, the corrected tax bill for 74 North Cole Avenue Spring Valley, New York 10977 should be based on an assessment of \$16,500.00 for the tax year 2015; and

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

RESOLVED, that the Village Board of Trustees Hereby grants the request from the Village Assessor and directs the Village Treasurer to send out a corrected tax bill for the 2015 tax year for the property located at 74 North Cole Avenue Spring Valley, New York 10977.

**RESOLUTION NO. 506 OF 2015
APPROVAL FOR THE VILLAGE TREASURER
TO PREPARE A CORRECTED TAX BILL FOR
83 NORTH COLE AVENUE**

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

WHEREAS, the Village Assessor has requested that the Village Treasurer send out a corrected tax bill for 83 North Cole Avenue Spring Valley, New York 10977 due to clerical error; and

WHEREAS, the corrected tax bill for 83 North Cole Avenue Spring Valley, New York 10977 should be based on an assessment of \$15,000.00 for the tax year 2015; and

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

RESOLVED, that the Village Board of Trustees Hereby grants the request from the Village Assessor and directs the Village Treasurer to send out a corrected tax bill for the 2015 tax year for the property located at 83 North Cole Avenue Spring Valley, New York 10977.

**RESOLUTION NO. 507 OF 2015
MOTION TO SUSPEND THE RULES TO MOVE
AGENDA ITEM 14G TO THE END OF THE MEETING**

Referral No. 3069

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

WHEREAS, there was a motion made to suspend the rules to move agenda items 14g, to the end of the meeting for executive discussion purposes; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to suspend the rules and move agenda item 14g, to the end of the meeting for executive discussion purposes.

**RESOLUTION NO. 508 OF 2015
APPROVAL OF
SECTION 8 ABSTRACT # 600**

Deputy Mayor Leon offered the following resolution, which was seconded by Trustee Grossman 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 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 authorize the Treasurer of the Village of Spring Valley to pay such bills.

<u>SECTION 8 PROGRAM</u>	<u>CLAIMANT</u>	<u>AMOUNT</u>
5308	Intermedia Acc.#1471043, Inv. # 1510003030	\$114.94
5309	Intermedia Acc.#1471257, Inv. # 1510003039	\$330.00
5310	Optimum Billing Period 8/22-9/21 & 9/22-10/21	\$45.55
5311	Barrett CPA 9/17/2015	\$3,883.25
5312	Shield Information Solutions Inv. # 3699559	\$300.00
5313	Cornerstone, Inv. #3699559	\$45.12
5314	EverBank	\$364.23
5315	The Nelrod Consortium, Payment #191	\$199.00
Total Section 8 Program Abstract for Village Board Approval		\$4,817.89

Trustee reports

Youth and Recreation- Trustee White – Absent.

Fire and Safety- Trustee Grossman- Sgt Korba is here from the Police Department and he is going to present his report from the Police Department, as part of fire and safety. Sgt Korba presented his report from the Police Department to the Board of Trustees and the community.

Infrastructure-Deputy Mayor Leon- No report.

Economic Development/Community Development- Trustee Fonvil- No report.

**RESOLUTION NO. 509 OF 2015
APPROVE THE REQUEST FROM MANNY CARMONA
TO SERVE SUMMONSES VIA SERVICIO INC
TO THE SECRETARY OF STATE
IN THE AMOUNT OF \$120.00**

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

WHEREAS. Manny Carmona, Assistant Building Inspector has requested to serve summonses via the Company Servico Inc. to the Secretary of State; and

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WHEREAS, the cost to serve the summonses via the Company Servico Inc. to the Secretary of State will is \$120.00; 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 Board of Trustees grants the request from Manny Carmona, Assistant Building Inspector to serve summonses via the Company Servico Inc. to the Secretary of State; and be it further

RESOLVED, that the cost to serve the summonses will cost \$120.00.

**RESOLUTION NO. 510 OF 2015
RESOLUTION REGARDING
2015 RADIO CITY CHRISTMAS SPECTACULAR**

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

WHEREAS, the Village of Spring Valley Board of Trustees ("Village Board") in the course of municipal government from time to time is required to take action to promote the best interests of Spring Valley residents; and

WHEREAS, the Village of Spring Valley, New York (Village) has a great need to be certain that the youths of the village has an opportunity to participate in recreational activities; and

WHEREAS, the Village last year (November 2014) sponsored a successful field trip event to the Radio City Music Hall for the Christmas Spectacular show; and

WHEREAS, the Village would like to sponsor 100 youths and chaperons to the 2015 Radio City Christmas Spectacular at a cost of \$25.00 per ticket for youths, no charges for chaperons, all monies will be turnover to the Treasurer. The total cost for 100 Orchestra seating tickets is \$6,700.00 plus \$25.00 shipping charges; and

WHEREAS, Sherry T. McGill have offered to run, organized, promote this event, at no charge for her services; and

NOW, THEREFORE, it is 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 Board authorized Sherry T. McGill to run, organized, promote this event, at no charge for her services.

Section 3. The Village Board authorized the purchase of 100 tickets for a cost of \$6,700.00 plus \$25.00 shipping charges.

Section 4. The Treasurer Mr. Cherian is directed to issue a check payable to Madison Square Garden Entertainment, said check shall be given to Trustee Vilair Fonvil no later than Thursday October 15, 2015 at 12:00 p.m. If the purchase requisition is not signed by the close of business day on Wednesday October 14, 2015, than Trustee Vilair Fonvil is authorized to sign the purchase requisition.

Section 5. The Village Board authorized the offering to the public of the 2015 Radio City Christmas Spectacular tickets at a cost of \$25.00 per ticket, no charges for chaperons, all monies will be turnover to the Treasurer.

Section 6. This Resolution shall take effect immediately.

**RESOLUTION NO. 511 OF 2015
RESOLUTION REGARDING THE
2015 PARK AND RECREATION HALLOWEEN SHOW**

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

WHEREAS, the Village of Spring Valley Board of Trustees ("Village Board") in the course of municipal government from time to time is required to take action to promote the best interests of Spring Valley residents; and

WHEREAS, the Village of Spring Valley, New York (Village) has a great need to be certain that the youths of the village has an opportunity to participate in recreational activities; and

WHEREAS, the Village last year (October 2014) sponsored a successful annual Halloween Show at the Luis Kurtz Community Center; and

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WHEREAS, the Village would like to sponsor the 2015 Park and Recreation Halloween Show at the Luis Kurtz Community Center for the residents of the Village, at a cost not to exceed \$2,000.00 and

WHEREAS, Sherry T. McGill have offered to run, organized, promote this event, at no charge for her services; and

NOW, THEREFORE, it is 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 Board authorized Sherry T. McGill to run, organized, promote this event, at no charge for her services.

Section 3. The Village Board authorized the expenditure for the 2015 Park and Recreation Halloween Show not to exceed \$2,000.00.

Section 4. The Treasurer Mr. Cherian is directed to issue a check payable to Sherry T. McGill, said check shall be given to Trustee Vilair Fonvil no later than Thursday October 15, 2015 at 12:00 p.m. If the purchase requisition is not signed by the close of business day on Wednesday October 14, 2015, than Trustee Vilair Fonvil is authorized to sign the purchase requisition.

Section 5. All receipts associated with this event, shall be filed with the treasurer by the close of business on November 6, 2015.

Section 6. This Resolution shall take effect immediately.

Referral No. 3070

**RESOLUTION NO. 512 OF 2015
MOTION TO GO INTO EXECUTIVE SESSION
TO DISCUSS PENDING LIGATION**

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

WHEREAS, there was a motion made to go into Executive Session to discuss pending litigation matters; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to go into Executive Session to discuss pending litigation matters.

Referral No. 3071

**RESOLUTION NO. 513 OF 2015
MOTION TO CLOSE EXECUTIVE SESSION**

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

WHEREAS, there was a motion made to close Executive Session and resume the regular meeting; and

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

RESOLVED, the Village Board of Trustees hereby approves the motion to close Executive Session and resume the meeting.

**RESOLUTION NO. 514 OF 2015
RESOLUTION AUTHORIZING APPROPRIATE DEFENSE IN
TAX CONDEMNATION CASES AND RECOVERY OF
VILLAGE CONDEMNATION EXPENDITURES**

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

WHEREAS, in the Village of Spring Valley, New York ("Village") the Village Board of Trustees ("Board") has responsibility to protect the taxpayers at all times and to minimize the tax burden on all taxpayers; and

WHEREAS, prior Village Administrations had employed legal Counsel for condemnation matters where the Village expended substantial monies for those legal services and also has been required to expend over \$500,000 to pay for a tax condemnation Award that should have been paid for by the Developer and prior legal Counsel for the

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Village should have informed the Village Board of this need to seek a recovery from the Developer or other appropriate entities or individuals; and

WHEREAS, the Village needs Legal Counsel to provide an appropriate approach for the Village in defense of condemnation cases as well as recovery of all funds that the Village should recover and for the Village alone not be responsible for payment of condemnation costs; and

WHEREAS, the current Special Counsel for the Village, Feerick Lynch MacCartney, Esqs. ("Special Counsel") is prepared to undertake the defense of the Village in the condemnation cases now pending upon the same terms and conditions as the prior Counsel for the Village as well as undertake the potential recovery of the over \$500,000 expended by the Village in the Little Angels matter upon a twenty-five (25%) percent contingency basis of any such recovery; and

WHEREAS, the Village Board wishes to undertake such an approach and new direction regarding land condemnation matters.

NOW, THEREFORE, it is 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 Board hereby authorizes Special Counsel to appear in the place of former Counsel for the Village with regard to all pending condemnation cases and to undertake upon a twenty-five (25%) percent contingency basis as previously set forth herein a recovery of the over \$500,000 that was expended by the Village in the Little Angels condemnation case.

Section 3. This Resolution shall take effect immediately.

RESOLUTION NO. 515 OF 2015
RESOLUTION AUTHORIZING PROFESSIONAL SERVICES
FOR EXPERT TRIAL APPRAISER

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

WHEREAS, the Village of Spring Valley, New York ("Village") in the course of municipal government from time to time requires the retention of Professionals to assist in various Village matters; and

WHEREAS, there is a condemnation case pending against the Village dealing with a potential award of compensation for the taking of "fixtures" as part of a condemnation process; and

WHEREAS, prior legal Counsel for the Village had retained an Appraiser to conduct the foregoing Appraisal necessary with regard to the litigation entitled El Torero v. Village of Spring Valley; Index No. SU-04853-2008 referred to as the "Condemnation Litigation"); and

WHEREAS, the Appraiser previously performed a preliminary review for the Board of Trustees ("Board") for the Village with regard to certain fixtures and the Board has been informed that photographs and other records concerning the fixtures were likely recorded by the Appraiser; and

WHEREAS, the condemned property has been now been demolished and new structure has been placed upon the property; and

WHEREAS, the Condemnation Litigation has not been settled and the demands for payment by the Attorney for the Petitioners in the Condemnation Litigation is substantially higher than any fair market value that the Village Board believes is appropriate; and

WHEREAS, the Village Board is required to obtain a Trial Ready Appraisal with regard to the Condemnation Litigation; and

WHEREAS, the foregoing professional services are necessary for a defense by the Village Board in the Condemnation Litigation.

NOW, THEREFORE, it is 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 Board hereby authorizes the retention of Rusciano Appraisers & Consultants, Inc. to prepare the Trial Appraisal in the Condemnation Litigation for the sum not to exceed \$16,000. The Treasurer is authorized to remit payment in the aforesaid amount to the aforementioned Appraiser forthwith.

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Section 3. This Resolution shall take effect immediately.

RESOLUTION NO. 516 OF 2015
RESOLUTION AUTHORIZING REVIEW OF
PRIOR VILLAGE CONDEMNATION EXPENDITURES

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

WHEREAS, in the Village of Spring Valley, New York ("Village") the Village Board of Trustees ("Board") has responsibility to protect the taxpayers at all times and to minimize the tax burden on all taxpayers; and

WHEREAS, prior Village Administrations had employed Legal Counsel for condemnation matters where the Village expended substantial monies for those legal services and also has been required to expend over \$500,000 to pay for a Condemnation Award that should have been paid for by the Developer and prior Legal Counsel for the Village should have informed the Village Board of this need to seek a recovery from the Developer or other appropriate entities or individuals; and

WHEREAS, the current Special Counsel for the Village Feerick Lynch MacCartney, Esqs. ("Special Counsel") is prepared to undertake a review of the activities of said prior Legal Counsel to determine if costs were properly allocated to the Village and otherwise determine if due care was undertaken to protect the interests of the Village in the condemnation cases, including but not limited to the Little Angels Case; and

WHEREAS, the Special Counsel for the Village has agreed to undertake said review at no cost to the Village and will report to the Village Board the result of that review.

NOW, THEREFORE, it is 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 Board hereby authorizes Special Counsel to undertake that review at no cost to the Village.

Section 3. This Resolution shall take effect immediately.

RESOLUTION NO. 517 OF 2015
APPROVAL OF THE REQUEST FROM THE VILLAGE ASSESSOR
TO REFUND 46 - 58 NORTH MYRTLE AVENUE
FOR THE TAX YEARS 2010 – 2015 IN THE AMOUNT OF \$19,100.00

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

WHEREAS, the Village Assessor has requested a refund in the amount of \$19,100.00 for tax years 2010 through 2015 for 46 – 58 North myrtle avenue; 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 Village Assessor to refund \$19,100.00 for tax years 2010 through 2015 for 46 – 58 North Myrtle Avenue, subject to a review by the Village Treasurer.

The next Item on the agenda, approve the request from the Village Assessor to refund Cole Levy (220-240 N. Main Street) for the tax years of 2014-2015 in the amount of \$67,322.00. The refund is subject to review by the Village Treasurer. **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, approve the request from the Village Assessor to refund South Central Plaza for the tax years of 2012-2015 in the amount of \$59,441. The refund is subject to review by the Village Treasurer, **Was postponed** to the next Village Board Meeting.

The next Item on the agenda, approval to resolve the P.A. Palladino (126 Maple Avenue) tax certiories proceedings for a refund in the amount of \$60,447.00 into two payments: first payment on March 17, 2016 and the second payment March 17, 2017. The refund is subject to review by the Village Treasurer. **Was postponed** to the next Village Board Meeting.

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Referral No. 3044

**RESOLUTION NO. 518 OF 2015
ADJOURNMENT**

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

WHEREAS, there were no further discussions to be heard; now, therefore, it is hereby

RESOLVED, that the meeting of the Village of Spring Valley Board of Trustees is hereby adjourned to Tuesday, October 27, 2015 at seven o'clock in the evening.

In Memory of

DIEULA "ERLA" LEMOINE