

**VILLAGE OF SPRING VALLEY
VILLAGE BOARD
DECEMBER 19, 2023 9:51 PM**

Present: Mayor Simon
Deputy Mayor Eisenbach
Trustee Grossman
Trustee Gross
Trustee Smith

Also Present: Village Attorney Darius Chafizadeh

Village Clerk Montgomery read the roll call.

Assemblage saluted the flag led by Trustee Smith

Resolution No. T-282-12.19.23

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

WHEREAS, Abstracts 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, with the exceptions noted below.

APPROVAL OF ABSTRACTS

GENERAL FUND 2023/12

Amount \$730,234.76

Claim #'s 56061522 thru 56061732

Moved by Mayor Simon, Seconded by Trustee Grossman and carried by all.

POST AUDITED GENERAL ABSTRACT 2023/11

Amount \$58,352.41

Claim #'s 56061458 thru 56061518

Moved by Mayor Simon, Seconded by Trustee Smith carried by all.

POST AUDITED ABSTRACT 2023/12

Amount \$877,084.06

Claim #'s 56061519 thru 56061730

Moved by Mayor Simon, Seconded by Trustee Gross and carried by all.

Dated: December 19, 2023

Resolution No. T-283-12.19.23

Moved by Mayor Simon, Seconded by Trustee Grossman

RESOLUTION APPROVING SECTION 8 ABSTRACT # 835

WHEREAS, Section 8 requests approval of Abstract # 835

and;

WHEREAS, such requests require the approval of The Board of Trustees, Village of Spring Valley;

NOW, THEREFORE, BE IT

RESOLVED, that Section 8's request for approval of Abstract #834 is hereby approved.

SECTION 8	AMOUNT
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Abstract #835	\$14,122.25
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Upon vote, motion carried by all,

Dated: December 19, 2023

Resolution No. T-284-12.19.23

Moved by Trustee Grossman, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING THE VILLAGE TO
ENTER INTO A SEWER LINE EASEMENT AGREEMENT
WITH 107 BETHUNE, LLC FOR**

WHEREAS, the Village's various land use boards previously issued approvals to allow 107 Bethune, LLC to construct a multifamily residence at properties identified on the Town of Ramapo Tax Map as Section, Block and Lot numbers 57.24-1-28 and 57.24-1-29; and

WHEREAS, during construction of the multifamily residence at the properties it was discovered that there was a sewer line running through the area where the building was planned to be construct, and

WHEREAS, 107 Bethune, LLC worked with Rockland County, which maintains such sewer lines to determine where to relocate this particular sewer line, and

WHEREAS, 107 Bethune, LLC has sought to enter into an easement agreement with the Village so that Rockland County may access and maintain the newly relocated sewer line on the property.

NOW, THEREFORE, it is hereby resolved by the Village Board as follows:

Section 1. The Village hereby ratifies and affirms each and every “Whereas” paragraph above.

Section 2. The Village Board authorizes the Village to enter into an easement agreement with 107 Bethune, LLC, which allows Rockland County to maintain the sewer line, subject to the final approval of language by the Village Attorney.

Section 3. This Resolution shall take effect immediately.

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-285-12.19.23

Moved by Trustee Gross, Seconded by Trustee Smith

**RESOLUTION AUTHORIZING ADDITIONAL SIGNATORY
ON VILLAGE WEBSTER BANK ACCOUNTS**

WHEREAS, within the Village of Spring Valley, New York (“Village”) there comes from time-to-time a need to take certain municipal action to provide for the Village to properly function as a municipal entity so as to provide for sound fiscal actions necessary to protect the health, safety and welfare of the Village Residents; and

WHEREAS, the Village Board of Trustees (“Village Board”) wishes to add Deputy Mayor as a co-signer to the Village Bank Depository at Webster Bank at its Branch located with the Village, and

NOW, THEREFORE, it is hereby resolved by the Village Board as follows:

Section 1. The Village hereby ratifies and affirms each and every “Whereas” paragraph above.

Section 2. The Village Board authorizes the Deputy Mayor to be a co-signer on all Village Webster Bank Accounts.

Section 3. This Resolution shall take effect immediately.

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-286-12.19.23

Moved by Trustee Gross, Seconded by Trustee Grossman

**RECOMMENDATION AS TO THE APPLICATION OF
OLD COUNTRY BAKERY CORPORATION SEEKING A
LIQUOR LICENSE**

WHEREAS, the Village has been informed that the Old Country Bakery Corporation has applied for a liquor license at its premises located at 156-1 North Main Street in Spring Valley; and

WHEREAS, the Police Department has prepared a report detailing police activity at the above location and finds no reason to recommend denying this application at this time; and

NOW, THEREFORE, it is hereby resolved by the Board of Trustees as follows:

Section 1. The Village hereby holds that it has no reason to recommend denying Old Country Bakery Corporation's application for a Liquor License.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-287-12.19.23

Moved by Trustee Gross, Seconded by Trustee Grossman

**SUBMITTING NANCY MOLINA’S APPLICATION TO
SERVE AS A FULL-TIME POLICE OFFICER WITH THE
SPRING VALLEY POLICE DEPARTMENT FOR
PSYCHOLOGICAL AND MEDICAL REVIEW BY THE
ROCKLAND COUNTY PERSONNEL DEPARTMENT**

WHEREAS, the Village Police Department is in need of a Police Officer to serve and protect the Village and its residents; and

WHEREAS, Nancy Molina has applied for a full-time Police Officer position with the Village; and

WHEREAS, the Village Board wishes to have the Rockland County Personnel Department review Ms. Molina’s application to determine if she is cleared as fit for duty.

NOW, THEREFORE, it is hereby resolved by the Board of Trustees as follows:

Section 1. The Village hereby nominates the application of Nancy Molina to be considered by the Rockland County Personnel Department for review to determine if she is cleared as fit for duty.

Section 2. The Village Board authorizes any necessary staff to execute any documents required to submit Ms. Molina’s application to the Rockland County Personnel Department.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll:

Mayor Simon	Abstain
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-288-12.19.23

Moved by Trustee Gross, Seconded by Trustee Smith

**SUBMITTING LUIS HERANDEZ’S APPLICATION TO
SERVE AS A FULL-TIME POLICE OFFICER WITH THE
SPRING VALLEY POLICE DEPARTMENT FOR
PSYCHOLOGICAL AND MEDICAL REVIEW BY THE
ROCKLAND COUNTY PERSONNEL DEPARTMENT**

WHEREAS, the Village Police Department is in need of a Police Officer to serve and protect the Village and its residents; and

WHEREAS, Luis Hernandez has applied for a full-time Police Officer position with the Village; and

WHEREAS, the Village Board wishes to have the Rockland County Personnel Department review Mr. Hernandez’s application to determine if he is cleared as fit for duty.

NOW, THEREFORE, it is hereby resolved by the Board of Trustees as follows:

Section 1. The Village hereby nominates the application of Luis Hernandez to be considered by the Rockland County Personnel Department for review to determine if he is cleared as fit for duty.

Section 2. The Village Board authorizes any necessary staff to execute any documents required to submit Mr. Hernandez’s application to the Rockland County Personnel Department.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll:

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-289-12.19.23

Moved by Trustee Gross, Seconded by Trustee Smith

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC
\$34,575.00 FOR LEGAL SERVICES RENDERED**

WHEREAS, Harris Beach, PLLC was retained to represent the Village in various legal matters; and

WHEREAS Harris Beach, PLLC has rendered services totaling \$34,575.00; and

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 and authorizes payment of Harris Beach, PLLC in the amount of \$34,575.00 for legal services rendered in various matters.

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to make the above detailed payment.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-290-12.19.23

Moved by Trustee Grossman, Seconded by Mayor Simon

**AUTHORIZATION TO PAY DENNIS LYNCH, ESQ.
\$8,556.11 FOR LEGAL SERVICES RENDERED IN THE
MATTER OF SOUTH BLOOMING GROVE V. VILLAGE
OF SPRING VALLEY**

WHEREAS, Dennis Lynch, Esq. was retained to represent the Village in the matter of South Blooming Grove v. Village of Spring Valley; and

WHEREAS Dennis Lynch has rendered services totaling \$8,556.11; and

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 and authorizes payment of Dennis Lynch, Esq. in the amount of \$8,556.11 for legal services rendered in the above detailed matter.

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to make the above detailed payment.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-291-12.19.23

Moved by Trustee Grossman, Seconded by Trustee Smith

**AUTHORIZATION TO PAY DENNIS LYNCH, ESQ.
\$7,450.00 FOR GENERAL LEGAL SERVICES RENDERED**

WHEREAS, Dennis Lynch, Esq. was retained by the Village to provide legal services in various general matters; and

WHEREAS Dennis Lynch has rendered general legal services totaling \$7,450.00 for the period from August 3, 2023 to October 31, 2023; and

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 and authorizes payment of Dennis Lynch, Esq. in the amount of \$7,450.00 for general legal services rendered from August 3, 2023 to October 31, 2023.

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to make the above detailed payment.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-292-12.19.23

Moved by Trustee Gross, Seconded by Trustee Grossman

**AUTHORIZATION TO PAY COLLIER ENGINEERING
\$10,000.00 FOR GENERAL ENGINEERING SERVICES
RENDERED**

WHEREAS, Collier Engineering was retained by the Village to provide general engineering services in various matters; and

WHEREAS Collier Engineering has rendered general engineering services totaling \$10,000.00; and

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 and authorizes payment of Collier Engineering in the amount of \$10,000.00 for general engineering services rendered.

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to make the above detailed payment.

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

On Roll:

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Resolution No. T-293-12.19.23

Moved by Trustee Grossman, Seconded by Trustee Gross

**RESOLUTION SETTTLING THE MATTER OF
MILLMAN V. VILLAGE OF SPRING VALLEY**

WHEREAS, Jeffrey T. Millman was previously employed by the Village of Spring Valley in the Village Attorney's Office between December 3, 2017 and August 9, 2021; and

WHEREAS, Mr. Millman, in addition to working in the Village, had previously worked for the Rockland County District Attorney's Office and the Town of Clarkstown, totaling 25.1 years of government service; and

WHEREAS, after leaving the Village's employment on August 9, 2021, Mr. Millman sought to have his health benefits continue to be paid by the Village pursuant to a resolution adopted by the Village Board on November 9, 1993 and later amended by Village Board resolution 749 of 2007, and

WHEREAS, after the Village had paid Mr. Millman's health benefits from August 2021 until September 2022, the determination was made by this Board to stop making such payments; and

WHEREAS, after the Village stopped paying Mr. Millman's health benefits, a lawsuit was commenced against the Village in Rockland County Supreme Court under Index Number 033776/2022 alleging, among other things, that the Village improperly discontinue the payment of Mr. Millman's health benefits (the "Millman Lawsuit"); and

WHEREAS, the Village did not pay for Mr. Millman's health benefits between September 2022 and December 2023.

NOW, THEREFORE, it is hereby resolved by the Village Board as follows:

Section 1. The Village hereby ratifies and affirms each and every "Whereas" paragraph above.

Section 2. The Village Board wishes to settle the Millman Lawsuit and restore Mr. Millman's health benefits retroactive to September 2022 and going forward.

Section 3. As part of the settlement, the Village Board authorizes the repayment of the amount paid by Mr. Millman from September 2022 to December 2023 in the amount of approximately \$46,000.00, with a potential increase in such amount upon a final accounting by the Village Treasurer and authorizes the Village to enter into a settlement agreement, subject to the final approval of language by the Village Attorney on the terms set forth herein.

Section 4. This Resolution shall take effect immediately.

On Roll:

Mayor Simon	Yes
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: December 19, 2023

Trustee Report:

Deputy Mayor Eisenbach requested that DPW examine Van Orden/Ann Street for steel plates on the road.

Deputy Mayor Eisenbach requested an update on No Parking signs on Parker Street off Maple Avenue.

At 10:16 pm Trustee Gross moved to adjourn the Village Board meeting, Seconded by Trustee Smith and carried by all present.