

**VILLAGE OF SPRING VALLEY
VILLAGE BOARD
AUGUST 1, 2023 9:08 PM**

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

Also Present: Village Attorney Darius Chafizadeh

Village Clerk Montgomery read the roll call.

Assemblage saluted the flag led by Trustee Eisenbach

Resolution No. T-193-8.1.23

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 2023/5

Amount \$29,508.60

Claim #'s 56060455 thru 56060525

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

POST AUDITED GENERAL ABSTRACT 2023/5

Amount \$2,393,502.05

Claim #'s 56060454 thru 56060526

On Roll:

Mayor Simon	Yes
Deputy Mayor Grossman	Yes
Trustee Clerina	Yes
Trustee Eisenbach	Abstained
Trustee Gross	Yes

Dated: August 1, 2023

Resolution No. T-194-8.1.23

Moved by Mayor Simon, Seconded by Trustee Eisenbach

RESOLUTION APPROVING SECTION 8 ABSTRACT # 829

WHEREAS, Section 8 requests approval of Abstract # 829

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 #829 is hereby approved.

SECTION 8	AMOUNT
Abstract #829	\$4,101.63

Upon vote, motion carried by all.

No one present wishing to speak during public participation.

Resolution No. T-195-8.1.23

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION GRANTING SVMP DE, LLC'S
APPLICATION FOR A SPECIAL USE PERMIT TO
ALLOW A MIXED-USE BUILDING ON ITS PROPERTY
LOCATED AT 1-49 SPRING VALLEY MARKETPLACE**

WHEREAS, SVMP DE, LLC (hereinafter the "Applicant") is the owner of an 18.75 acre retail property located at 1-70 Spring Valley Market Place, identified on the Town of Ramapo Tax Map as 57.66-1-2.1 (the "Property") and has submitted a request for the Village Board to grant a special permit to construct at mixed-use building where the Christmas Tree Shop was previously located in the Village's PLI – Planned Light Industrial Zoning District; and

WHEREAS, the floor space previously occupied by the Christmas Tree Shops on the first floor will be replaced with four (4) separate retail tenant spaces and five (5) new office tenant spaces, the Applicant also proposes to increase the floor area of the building by 50,944 square feet,

with the addition of new second and third floors, which will both have a floor area of 25,472 square feet; and

WHEREAS, on May 4, 2023, the Village Planning Board declared its intent to be Lead Agency under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Planning Board determined that this was an unlisted action under SEQRA and in preparing the SEQRA Part 1 and Part 2 found that the impacts associated with the proposal are small and can be mitigated thereafter adopting a Negative Declaration under SEQRA; and

WHEREAS, the Village Board opened the public hearing for this application at its August 1, 2023 meeting and thereafter closed the public hearing; and

WHEREAS, the Village had received comments regarding the proposed project from the Rockland County Commissioner of Planning pursuant to General Municipal Law § 239-L and § 239-M, dated April 6, 2023, which recommended denial of the application (*see* a copy of the Rockland County Commissioner of Planning’s April 6, 2023 letter annexed hereto as **Exhibit “A”**); and

WHEREAS, on July 21, 2023, the applicant’s counsel submitted a response to the Rockland County Commissioner of Planning’s April 6, 2023, correspondence seeking an override of comments 1, 3, 4, 5, 14, 15, 16, 17, and 18 (*see* a copy of the applicant’s July 21, 2023 letter annexed hereto as **Exhibit “B”**); 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.

Section 2. The Village Board grants the Applicant’s Special Permit application allowing for the construction of a multi-tenant office and retail mixed use in the Village’s PLI Zoning District; and

BE IT FURTHER RESOLVED, that the Special Permit is granted with an override of the Rockland County Commissioner of Planning’s general denial and comments, 1, 3, 4, 5, 14, 15, 16, 17, and 18; and

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 Gross	Yes
Trustee Clerina	Yes
Trustee Grossman	Yes
Trustee Eisenbach	Yes

Dated: August 1, 2023

Resolution No. T-196-8.1.23

Moved by Trustee Gross, Seconded by Deputy Mayor Grossman

**RESOLUTION AUTHORIZING POLICE CHIEF RICHARD
OLESZCZUK TO ATTEND THE L.E. EXECUTIVE ISRAEL
TRAINING TRIP FROM OCTOBER 5, 2023 THROUGH
OCTOBER 13, 2023**

WHEREAS, the Village's Police Chief Richard Oleszczuk has been invited to attend the L.E. Executive Israel Training Program from October 5, 2023 through October 13, 2023; and

WHEREAS, the invitation provides that Chief Oleszczuk's attendance at this program will be fully covered at no expense to the Village; and

WHEREAS, Chief Oleszczuk's attendance at this training will be a benefit to the safety and welfare of the residents of Spring Valley.

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.

Section 2. The Village Board authorizes Chief Oleszczuk to attend the L.E. Executive Israel Training Program at no cost to the Village.

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:

Upon vote, motion carried by all.

Dated: August 1, 2023

Resolution No. T-197-8.1.23

Moved by Trustee Gross, Seconded by Trustee Clerina

**RESOLUTION AUTHORIZING \$100.00
REIMBURSEMENT TO SHERRY MCGILL FOR TAKING
DOWN CAMPAIGN SIGNS WITHIN ONE WEEK OF THE
PRIMARY ELECTION**

WHEREAS, Village Code § 209-9 provides that persons putting up temporary signs or posters prior to various events, including political events, are required to deposit with the Village \$100.00 in cash, check or money order which will be returned if the erector or installer of such signs has those signs removed within one week after the event or election; and

WHEREAS, Mrs. McGill posted election signs prior to the primary election after making the necessary application to the Village Clerk, including the deposit of \$100.00; and

WHEREAS, Mrs. McGill had the signs removed within a week after the primary election.

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.

Section 2. The Village Board authorizes the return of Mrs. McGill’s deposit of \$100.00 pursuant to Village Code § 209-9 based on her timely removal of such signs within a week following the primary election.

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:

Upon vote, motion carried by all.

Dated: August 1, 2023

Resolution No. T-198-8.1.23

Moved by Mayor Simon, Seconded by Deputy Mayor Grossman

**RE-HIRING OF SUSAN SCHOENLEBER AS A
CONTRACT EMPLOYEE WITH THE VILLAGE
EFFECTIVE MAY 15, 2023**

WHEREAS, within the Village of Spring Valley, New York (“Village”) there comes from time-to-time a need to hire certain personnel for purposes of allowing the Village to carry out its municipal duties to protect the health, safety and welfare of the Village Residents; and

WHEREAS, the Village Board of Trustees (“Village Board”) has been advised of a need for services in various departments; and

WHEREAS, Mrs. Susan Schoenleber has worked with the Village for many years and desires to continue employment with the Village as a Contract Employee (the “Employee”) with her current agreement covering the period from May 15, 2023 through October 31, 2023; and

WHEREAS, the Village Board desires that any such employment of said Employee only be pursuant to all appropriate laws, rules and regulations for the hiring of such an Employee and that said employment shall commence only when all said laws, rules and regulations for the hiring of said Employee have been met.

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.

Section 2. The Village Board authorizes the Village Mayor to execute any documents as approved by the Village Attorney required to employ Susan Schoenleber, effective October 31, 2023 on the same terms as her previous engagement with the Village, which new term will expire on December 31, 2023, at a rate of \$20.00 an hour, not to exceed 35 hours per week.

Section 3. This Resolution shall take effect immediately.

Upon vote, motion carried by all.

Dated: August 1, 2023

Resolution No. T-199-8.1.2023

Moved by Trustee Gross, Seconded by Deputy Mayor Grossman

**RESOLUTION REGARDING PAYMENT FOR
LEGAL SERVICES FOR KEANE AND BEANE, P.C.**

WHEREAS, within the Village of Spring Valley, New York (“Village”) there comes from time-to-time a need to retain and compensate Counsel for the Village to handle legal matters that requires the experience and expertise of said Counsel to expeditiously and economically address and resolve potential litigation involving the Village, as well as provide other legal municipal advice to the Village and its Officials and Employees; and

WHEREAS, the Village Board had previously benefited from the legal services of Keane and Beane, P.C.; and

WHEREAS, Keane and Beane, P.C. has provided legal services to the Village under the following Invoice Numbers at the listed costs: Invoice # 88854, 88855, 88848, 88850, 88864, 88851, 88852, 88853, 88857 and 88845 totaling \$12,422.50; 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.

Section 2. The Village is authorized to make payment for the legal services billed by Keane and Beane under invoices totaling \$12,422.50.

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:

Upon vote, motion carried by all.

Dated: August 1, 2023

Resolution No. 200-8.1.2023

Moved by Trustee Gross, Seconded by Deputy Mayor Grossman

**RESOLUTION AUTHORIZING THE DISCONNECTION OF
UTILITIES TO PROPERTY LOCATED AT 22 COLLINS
AVENUE BY ORANGE AND ROCKLAND UTILITIES AT
NO COST TO THE VILLAGE**

WHEREAS, the Village has obtained ownership of property located at 22 Collins Avenue and there is a need to disconnect the utilities at such location; and

WHEREAS, Orange and Rockland Utilities has agreed to disconnect the utilities at 22 Collins Avenue at no cost to the Village; 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.

Section 2. The Village authorizes the disconnection of utilities at 22 Collins Avenue, Spring Valley by Orange and Rockland Utilities at no cost to the Village.

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:

Upon vote, motion carried by all.

Dated: August 1, 2023

Trustee Gross offered the following under Trustee Report:

Requested an update on the CDBG (Community Development Block Grant).

Sidewalks are not maintained on Madison Avenue.

Would like an update as to the status of the sweeper.

Yale Drive has a water problem and drain needs to be cleaned. Yale Drive also is in need of a proper marking.

Salt for the winter is cheaper now and should be purchased now.

Trustee would like a status update on the Village potholes.

Snow plows should be made operable now, not at the last minuet.

Trustee Clerina asked that the grass in Memorial Park be cut.

At 10:11 pm Trustee Gross made a motion to close the meeting, Seconded by Deputy Mayor Grossman and carried by all.