

**VILLAGE OF SPRING VALLEY
VILLAGE BOARD
SEPTEMBER 5, 2023 9:44 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 Attorney Chafizadeh

Resolution No. T-208-9.5.23

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 2023/7

Amount \$37,988.70

Claim #'s 56060766 thru 56060887

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

POST AUDITED GENERAL ABSTRACT 2023/7

Amount \$821,992.92

Claim #'s 56060757 thru 56060886

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

Dated: September 5, 2023

Resolution No. T-209-9.5.23

Moved by Mayor Simon, Seconded by Trustee Gross

RESOLUTION APPROVING SECTION 8 ABSTRACT # 830

WHEREAS, Section 8 requests approval of Abstract # 830
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 #830 is hereby approved.

SECTION 8	AMOUNT
Abstract #830	\$3,638.83

Upon vote, motion carried by all.

Dated: September 5, 2023

Juan, Nanuet NY spoke during public participation regarding a parade he wishes to have on September 15, 2023. Juan mentioned that it would be approximately 50 – 65 cars and they would provide their own team to block streets. Resident also mentioned that all participants will remain in their cars.

Resolution No. T-210-9.5.23

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION ADOPTING SEQRA PART II AND
ADJOURNING THE PUBLIC HEARING ON THE
PROPOSED ZONE CHANGE FOR 105 S. CENTRAL
AVENUE/330 ROOSEVELT AVENUE**

WHEREAS, the owner of properties located at 105 S. Central Avenue and 330 Roosevelt Avenue submitted an application to the Village seeking to change the properties' Zoning District from R2 to GB; and

WHEREAS, the Village Board has opened a public hearing on this matter and referred the application to the Planning Board for review and recommendation; and

WHEREAS, the Village Board has declared itself lead agency for the review of the application pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form Part 1 and the Village Planner has prepared a draft Short Environmental Assessment Form Part 2 for the Village Board's consideration.

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 adopts the Village Planner's Full Environmental Assessment Form Part 2 and votes to adjourn the public hearing to September 19, 2023, with the applicant required to submit a proposed Short Environmental Assessment Form Part 3 for consideration by the Village Board.

Section 3. This Resolution shall take effect immediately.

Upon Vote, motion carried by all.

Dated: September 5, 2023

Trustee Gross moved to adjourn Public Hearing for the applicant of 29-31 Singer Avenue seeking a Special Use Permit for a four-story building to September 19, 2023, Seconded by Mayor Simon and carried by all.

Resolution No. T-211-9.5.23

Moved by Mayor Simon, Seconded by Deputy Mayor Grossman

LOCAL LAW AMENDING VILLAGE CODE § 239-7
VEHICLE FOR HIRE FLEET OPERATING LICENSE

WHEREAS, the Village Code and its various provisions have been adopted to serve the health, safety and welfare of the Village's residents, visitors, businesses, employees, and the general public; and

WHEREAS, from time to time the Village Board seeks to amend provisions of the Village Code to more effectively serve the health, safety and welfare of the Village's residents, visitors, businesses, employees, and the general public; while also maintaining an efficient form of government; and

WHEREAS, the Village has identified a potential improvement to the Village Code detailed in Chapter 239-7, specially modifying the Village Code with regard to requiring taxi fleet operating licenses which cover up to 25 vehicles when such provision is currently optional under the current Village Code; and

WHEREAS, a duly noticed public hearing was held on September 5, 2023.

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

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

Section 2. Amending Village Code § 239-7 to reflect the following changes, with deletions being marked with a ~~strike through~~ and additions being underlined:

Chapter 239. Taxicabs and Vehicles for Hire

§ 239-7. Vehicle for hire fleet operating license.

A. Any person, firm or corporation operating five or more vehicles for hire in the name of such person, firm or corporation ~~may~~ shall and must apply for a fleet operating license covering up to 25 vehicles. Each such vehicle shall be licensed and inspected in accordance with the applicable provisions of this chapter. The fee for such fleet operating license for the initial registration and the annual renewal thereof shall be as set forth in Chapter 118, Fees.

B. Any transfer or substitution of vehicles within the registration period shall be charged a fee per vehicle as set forth in Chapter 118, Fees. Such vehicle shall be registered and inspected.

C. Said reduction of fee shall be in recognition of the prohibition of said vehicles to cruise for passengers, accept hails, park at taxicab stands or in any other way obtain passengers, except through telephone requests.

Section 3. Numbering for Codification. It is the intention of the Village of Spring Valley and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the Village of Spring Valley; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the codifier to accomplish such intention; that the codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective date. This chapter shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

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

On Roll

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

Dated: September 5, 2023

Resolution No. T-212-9.5.23

Moved by Deputy Mayor Grossman, Seconded by Mayor Simon

**SETTING A PUBLIC HEARING TO CONSIDER
APPLYING FOR THE 2023 DOWNTOWN
REVITALIZATION INITIATIVE (DRI) GRANT ON
SEPTEMBER 19, 2023**

WHEREAS, New York State's Downtown Revitalization Initiative is a New York State economic development program which works to transform downtown neighborhoods into vibrant centers that offer a high quality of life and are magnets for redevelopment, business, job creation, as well as economic and housing diversity; and

WHEREAS, the Village Board desires to hold a public hearing in order to allow the Village to apply for a New York State Downtown Revitalization Initiative Grant.

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 sets a public hearing for the New York State Downtown Revitalization Initiative Grant to be held on September 19, 2023.

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
Trustee Grossman	Yes
Trustee Clerina	Yes
Trustee Eisenbach	Yes
Trustee Gross	Yes

Dated: September 5, 2023

Resolution No. T-213-9.5.23

Moved by Trustee Gross, Seconded by Mayor Simon

**SETTING A PUBLIC HEARING TO CONSIDER
APPLYING FOR A 2024 COMMUNITY DEVELOPMENT
BLOCK GRANT ON NOVEMBER 21, 2023**

WHEREAS, The Community Development Block Grant Program supports community development activities to build stronger and more resilient communities by addressing needs such as infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, and homeowner assistance amongst others; and

WHEREAS, the Village Board desires to hold a public hearing in order to allow the Village to apply for Community Development Block Grant funds.

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 sets a public hearing for the discussion of the 2024 Community Development Block Grant application to be held on November 21, 2023.

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
Trustee Grossman	Yes
Trustee Clerina	Yes
Trustee Eisenbach	Yes
Trustee Gross	Yes

Dated: September 5, 2023

Resolution No. T-214-9.5.23

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO ACCEPT BID FROM BERG+ MOSS
ARCHITECTS FOR ARCHITECTURAL, MECHANICAL,
ELECTRICAL, PLUMBING, GEOTECHNICAL AND
ENVIRONMENTAL ENGINEERING WORK FOR THE
EXPANSION OF THE POLICE DEPARTMENT
HEADQUARTERS AT A COST OF \$91,837.00 WHICH
WILL COME FROM THE \$500,000 AWARDED UNDER A
CDBG GRANT**

WHEREAS, the Village has received a bid from Berg+ Moss Architects to perform architectural, mechanical, electrical, plumbing, geotechnical and environmental engineering work related to the expansion of the Village Police Department Headquarters at a cost of \$91,837.00; and

WHEREAS, the cost of the work will come from the \$500,000 awarded to the Village under a CDBG Grant.

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 accepts the bid from Berg+ Moss Architects for the above detailed work to be performed relating to the expansion of the Village Police Department’s current facility at a cost of \$91,837.00.

Section 3. This Resolution shall take effect immediately.

Upon vote, motion carried by all.

Dated: September 5, 2023

Resolution No. T-215-9.5.23

Moved by Trustee Gross, Seconded by Trustee Clerina

**AUTHORIZATION FOR THE VILLAGE TO PURCHASE
ONE SET OF SEVENTY (70) STREET BANNERS FOR
MAIN STREET AT A COST OF \$4,235.00**

WHEREAS, the Village would like to purchase banners for display on Main Street; and

WHEREAS, the Village has reached out to a few companies but only received responses from two (2) companies.

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 purchase of one set of seventy (70) street banners for Main Street from Valley View Printing at a price of \$60.50 per banner for a total of \$4,235.00.

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: September 5, 2023

Resolution No. T-216-9.5.2023

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION REGARDING PAYMENT FOR LEGAL SERVICES
TO HARRIS BEACH, PLLC IN THE AMOUNT OF \$67,509.15.**

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 require 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 Harris Beach, PLLC; and

WHEREAS, Harris Beach, PLLC has provided legal services to the Village under the following invoice numbers: 8931710, 8931711, 8931712, 8931713, 8931715, 8931716 and 8931718 totaling \$67,509.15; 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 Harris Beach, PLLC under invoice numbers: 8931710, 8931711, 8931712, 8931713, 8931715, 8931716 and 8931718 totaling \$67,509.15.

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
Trustee Grossman	Yes
Trustee Clerina	Yes
Trustee Eisenbach	Abstain
Trustee Gross	Yes

Dated: September 5, 2023

Trustee Gross offered the following:

Tickets issued to residents for parking on the wrong side of the street is too expensive and the allotted days to pay such fine should be increased. Deputy Mayor Grossman added that he believes this is already a Local Law.

Charverim and Spring Valley Police Department should partner up for events to lower the costs.

10:49 pm Trustee Clerina exited the meeting.

Trustee Gross expressed his thanks to DPW for the worked completed on Union Road and Maple Avenue.

Deputy Mayor Grossman requested that the turning lane on Robert Pitt Drive be extended.

At 10:52 pm Mayor Simon moved to adjourn the Village Board meeting, Seconded by Trustee Gross, carried by all.