

**VILLAGE OF SPRING VALLEY
VILLAGE BOARD
FEBRUARY 6, 2024 10:09 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-014-02.6.24

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 2023/14

Amount \$116,732.58

Claim #'s 56061984 thru 56062127

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach, Trustee Grossman Yes, Trustee Smith Yes, Trustee Gross Absent for the vote.

POST AUDITED GENERAL ABSTRACT 2023/14

Amount \$190,967.03

Claim #'s 56061975 thru 56062117

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

Dated: February 6, 2024

Resolution No. T-015-2.6.24

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

**AMENDING RESOLUTION # T-252-11.13.23
AUTHORIZING THE VILLAGE
TO ENTER INTO A THIRD-PARTY COLLATERAL
AGREEMENT**

WHEREAS, the Village regularly deposits amounts with its bank in excess of the \$250,000; and

WHEREAS, the Village is required under New York State law to have a third-party collateral agreement to protect its funds deposited with banking institutions; and

WHEREAS, Webster Bank, where Village deposits its monies has requested that the Village transfer its third-party collateral agreement from M&T/Wilmington Trust to BKNY Mellon; 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 the transfer of its third-party collateral agreement for its banking deposits from M&T/Wilmington Trust to BKNY Mellon.

Section 2. 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: February 6, 2024

Resolution No. T-016-2.6.24

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

RESOLUTION APPROVING SECTION 8 ABSTRACT # 837

WHEREAS, Section 8 requests approval of Abstract # 837

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 #837 is hereby approved.

SECTION 8	AMOUNT
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Abstract #837	\$546.99
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Upon vote, motion carried by all.

Dated: February 6, 2024

Resolution No. T-017-2.6.24

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

RESOLUTION AUTHORIZING THE POLICE DEPARTMENT TO SIGN TWO INTERMUNICIPAL AGREEMENTS WITH THE COUNTY OF ROCKLAND TO REIMBURSE THE VILLAGE IN THE AMOUNTS OF \$708.10 AND \$3,750.00

WHEREAS, the Village Police Department has expended funds in the amounts of \$708.10 and \$3,750 for which Rockland County offers reimbursement provided the Village enters into agreement relating to the same; and

WHEREAS, the Village wishes to be reimbursed for these costs;

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 enter into two agreements with Rockland County to provide for the reimbursement of amounts spent by the Village totaling \$708.10 and \$3,750.00.

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: February 6, 2024

The applicant of Swawarma Delight Inc. located at 26 Spring Valley Market Place appeared before the Village Board seeking a Liquor License. As Chief Oleszcak has no reason to deny, Trustee Gross moved to grant application, seconded by Trustee Grossman and carried by all.

Resolution No. T-018-2.6.24

Moved by Trustee Gross, Seconded by Mayor Simon

**RECOMMENDATION TO GRANT THE LIQUOR LICENSE APPLIED FOR BY
ATRIUM HALL LLC FOR PROPERTY LOCATED AT 401 WEST ROUTE 59**

WHEREAS, the Village has received a request from Atrium Hall, LLC seeking to obtain a liquor license for property located at 401 West Route 59 in Spring Valley; and

WHEREAS, the Police Department has searched its records and was unable to find any incidents at this location which would warrant the Village's not recommending that the applicant receive a favorable recommendation; 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. Based upon the Village's Police Department Report the Village Board recommends that Atrium Hall, LLC receive a liquor license for its property located at 401 West Route 59 in Spring Valley.

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: February 6, 2024

Resolution No. T-019-2.6.24

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION SETTING PUBLIC HEARING FOR THE
CONSIDERATION OF AN APPLICATION TO
CONSTRUCT A FOUR-STORY ADDITION TO A SCHOOL
LOCATED AT 185 NORTH MAIN STREET**

WHEREAS, the Village has received an application to construct a four-story addition on a school building located at 185 North Main Street; and

WHEREAS, the consideration of such application requires the holding of a public hearing;
and

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

Section 1. The Village hereby sets a public hearing for March 19, 2024 to consider the application for construction of a four-story addition to a school located at 185 North Main Street.

Section 2. The Village Board authorizes staff to take any steps necessary to prepare for the Public Hearing.

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: February 6, 2024

Resolution No. T-020-2.6.24

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION REFERRING THE APPLICATION TO
MOVE EIGHT (8) PARCELS ON JOHNSON STREET
FROM THE R2 ZONING DISTRICT TO THE GB ZONING
DISTRICT TO THE PLANNING BOARD FOR
ENVIRONMENTAL REVIEW**

WHEREAS, the Village Board has received an application seeking to move eight (8) parcels along Johnson Street from the R2 Zoning District to the GB Zoning District; and

WHEREAS, the application needs to be reviewed under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Village Planning Board has expertise in SEQRA review;

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 refers the zone change application to the Village Planning Board for review under SEQRA;

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: February 6, 2024

Resolution No. T-021-2.6.24

Moved by All, Seconded by All

**ACCEPTANCE OF THE RESIGNATION OF FRANK
YOUNGMAN**

WHEREAS, Frank Youngman has submitted his resignation, effective January 31, 2024;

WHEREAS, the Village Board wishes to accept Mr. Youngman’s Resignation.

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 Frank Youngman’s resignation effective January 31, 2024.

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: February 6, 2024

Resolution No. T-022-2.6.24

Moved by Trustee Grossman, Second by Trustee Gross

**AUTHORIZATION FOR COLLIER ENGINEERING TO
PREPARE PLANS FOR SIDEWALKS AT 107-115 BETHUNE
BOULEVARD AT A COST OF \$1,000**

WHEREAS, the Village wishes to construct sidewalks at 107-115 Bethune Boulevard;

WHEREAS, Collier Engineering is available to provide the Village with general engineering services; 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 authorizes Collier Engineering to prepare sidewalk plans for 107-115 Bethune Boulevard at a cost of \$1,000.

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: February 6, 2024

Resolution No. T-023-2.6.24

Moved by Trustee Gross, Seconded by Trustee Grossman

**AUTHORIZATION TO PAY WHITEMAN OSTERMAN AND
HANNA \$10,638.00 FOR LEGAL SERVICES RENDERED**

WHEREAS, the law firm of Whiteman Osterman and Hanna was retained to represent the Village in legal matters dealing with the Building Department; and

WHEREAS, Whiteman Osterman and Hanna has rendered services and fees totaling \$10,638.00 through December 31, 2023.

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 Whiteman Osterman and Hanna in the amount of \$10,638.00 for 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	No
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: February 6, 2024

Resolution No. T-024-2.6.24

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC \$2,650
FOR LEGAL SERVICES RENDERED IN DECEMBER 2023**

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

WHEREAS, Harris Beach, PLLC has rendered services and fees totaling \$2,650 for various matters.

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 \$2,650 for 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: February 6, 2024

Resolution No. T-025-2.6.24

Moved by Deputy Mayor Eisenbach, Seconded by Trustee Gross

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC
\$30,382.09 FOR LEGAL SERVICES RENDERED IN
DECEMBER 2023**

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

WHEREAS, Harris Beach, PLLC has rendered services and fees totaling \$30,382.09 for various matters.

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 \$30,382.09 for 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: February 6, 2024

Discussion ensued regarding the hiring of Haannay Hernandez as Clerk Typist, Spanish Speaking within the Justice Court. Motion was made by Mayor Simon which received no second and failed.

Resolution No. T-026-2.6.24

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION ACCEPTING NEW MEMBERS TO THE
SPRING VALLEY FIRE DEPARTMENT**

WHEREAS, the Village Fire Department provides a valuable service to the Village; and

WHEREAS, the Village Fire Department has received membership applications from Austin Conjura, James Barrera and Nathan Steiner; and

WHEREAS, the Village Fire Department wishes to add the above-mentioned individuals as members; 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 accepts Austin Conjura, James Barrera and Nathan Steiner as members of the Spring Valley Fire Department effective February 6, 2024.

Section 2. 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: February 6, 2024

Resolution No. T-028-2.6.24

Moved by Trustee Grossman, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING THE VILLAGE OF
SPRING VALLEY TO ENTER INTO AN AGREEMENT
WITH KEANE & BEANE, P.C. TO PROVIDE LEGAL
SERVICES**

WHEREAS, the from time to time the Village needs to engage counsel to attend to various legal matters; and

WHEREAS, the Village has had a number of labor related issues which may be handled by Keane & Beane, P.C.; and

WHEREAS, the Village wishes to engage Keane & Beane, P.C. to provide legal services relating to labor issues, labor negotiations and the like; 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 the Village to enter into an agreement with Keane & Beane, P.C. to provide legal services.

Section 2. 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	Nay
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: February 6, 2024

Discussion ensued amongst the mayor and the Village Board of Trustees regarding Reginald Andersons hours. The Village Board agreed to set Mr. Andersons hours from 9:00 am to 4:00 pm.

Village Board agreed to set the BAR (Board of Assessment Review) for February 20, 2024 from 4:00 pm to 8:00 pm.

Village Board agreed to cancel the Workshop for the February 20, 2024 Village Board Meeting.

Resolution No. T-030-2.6.24

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION AUTHORIZING THE VILLAGE TO ENTER
INTO A FIRST AMENDMENT TO LEASE AGREEMENT
WITH NEW YORK SMSA LIMITED PARTNERSHIP D/B/A
VERIZON WIRELESS**

WHEREAS, the Village and New York SMSA Limited Partnership d/b/a Verizon Wireless (hereinafter “Verizon”) previously entered into a Lease Agreement allowing Verizon to install and operate a telecommunications facility at the Village property located at 200 North Main Street, Spring Valley New York; and

WHEREAS, Verizon wishes to lease additional space from the Village to install a replacement generator and other improvements; and

WHEREAS, Verizon will pay the Village an additional \$486.14 per month with a 2% escalation of such payment each year.

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 the Village to enter into a First Amendment to Lease Agreement with Verizon allowing it to lease additional space from the Village at a cost of \$486.14 per month with a 2% escalation of such payment each year.

Section 2. 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: February 6, 2024

Resolution No. T-031-2.6.24

Moved by Trustee Gross, Seconded by Deputy Mayor Eisenbach

**RESOLUTION AUTHORIZING THE VILLAGE TO ENTER
INTO A LEASE AGREEMENT FOR THE INSTALLATION
OF NEW CELLULAR TELEPHONE EQUIPMENT ON
PROPERTY LOCATED AT 21 WEST STREET**

WHEREAS, the Village has been approached by Crown Castle to install new cellular telephone equipment at the Village Department of Public Works Garage; and

WHEREAS, the lease with Crown Castle would also include a sublease with Verizon Wireless; and

WHEREAS, the Village would see an increase in revenue to \$1,125.00 per month with a 2% increase in such income annually during the life of the agreement, as well as the Village's receipt of 50% of the revenue generated by such facility.

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 the Village to enter into a lease agreement with Crown Castle and/or Verizon to install new cellular telephone equipment at 21 West Street provided that they will pay the Village \$1,125.00 per month, with an annual 2% escalation of such amount, while also collecting 50% of the revenue generated by such facility.

Section 2. 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: February 6, 2024

Trustees Report:

Trustee Grossman advised that the catch basins on Morris Road are clogged and requested attention from DPW.

Deputy Mayor Eisenbach shared that the Spring Valley Midget Football Team won the National Championship at the Division III National American Youth Football (AYF) held in Naples, Florida on December 6, 2023. Deputy Mayor Eisenbach was pleased to join Sherri McGill and

hand out awards to the victorious children who were a part of the first Rockland County team to ever win a National Championship.

10:45 pm Trustee Gross moved to adjourn the Village Board meeting, Seconded by Mayor Simon and carried by all.