

**VILLAGE OF SPRING VALLEY
VILLAGE BOARD
MARCH 19, 2024 9:30 PM**

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

Also Present: Attorney Chafizadeh

Village Clerk Montgomery read the roll

Assemblage saluted the flag led by Gregg Smith

Resolution No. T-048-03.19.24

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

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 2023/17

Amount \$49,814.53

Claim #'s 56062521 thru 56062585

POST AUDITED GENERAL ABSTRACT 2023/17

Amount \$95,687.05

Claim #'s 56062440 thru 56062586

Carried by all with the exception of Trustee Gross who was absent for the vote.

Dated: March 19, 2024

Resolution No. T-049-03.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

RESOLUTION APPROVING SECTION 8 ABSTRACT # 840

WHEREAS, Section 8 requests approval of Abstract # 840

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 #840 is hereby approved.

SECTION 8	AMOUNT
------------------	---------------

Abstract #840	\$879.89
---------------	----------

Upon vote, motion carried by all.

March 19, 2024

Resolution No. T-050-3.19.24

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION OF PAYMENT TO HARRIS BEACH,
PLLC IN THE AMOUNT OF \$1,961.00 FOR SERVICES
RENDERED FOR THE MATTERS OF SNEAD**

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

WHEREAS, Harris Beach, PLLC has rendered services totaling \$1,961.00 on the Snead matter; 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 \$1,961.00 for legal services rendered in the Snead 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: March 19, 2024

Public Participation:

Sharon Jackson of Spring Valley expressed that the streets and sidewalks on Bethune Blvd. are rapidly declining.

Sherry Scott of Spring Valley shared that Memorial Park is filthy and needs lights.

Hank Baxter of Wood Street asked if the village board could do something about the filth in the Village including public urination. Mr. Baxter also shared his concern for the neighbor's roosters pecking at his children. Mr. Baxter shared his concern of the butchering of animals taking place in public.

Charmain Hector of Fred Hecht complained about the potholes throughout the village.

Resolution No. T-051-03.19.24

Mayor Simon Moved, Seconded Trustee Gross

RESOLUTION ADOPTING SECTION 8 PUBLIC HOUSING AUTHORITY (PHA) ACTION PLAN

WHEREAS, the Annual PHA Plan provides details about the Section 8 participants, programs, and services, and its strategy for addressing operational concerns, our residents' needs, programs, and services for the upcoming fiscal year; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the Village annually certify a Public Housing Authority Action Plan in order to receive funding; and

WHEREAS, the Section 8 Department of the Village of Spring Valley has submitted a PHA Plan for the consideration and held a public hearing to adopt said PHA action Plan; and

WHEREAS, on March 19, 2024 a public hearing was opened, closed and adopted by a unanimous Village Board of Trustee vote.

NOW, THEREFORE, BE IT

RESOLVED, that the Village hereby adopts and certifies the 2024 Public Housing Authority Action Plan submitted by Section 8 and directs that such plan be forwarded to the U.S. Department of Housing and Urban Development (HUD).

Upon vote, motion carried by all.

March 19, 2024

Resolution No. T-052-3.19.24

Moved by Mayor Simon, Seconded by Trustee Grossman

**RESOLUTION GRANTING A SPECIAL PERMIT TO
ALLOW FOR THE CONSTRUCTION OF AN ADDITION IN
EXCESS OF THREE (3) STORIES UNDER VILLAGE CODE
§ 255-27.1 AT 185 NORTH MAIN STREET**

WHEREAS, the property owner of 185 North Main Street (hereinafter the “Applicant”) has requested that the Village Board grant a special permit to construct an addition to the currently existing school in excess of three stories, pursuant to Village Code § 255-27.1; and

WHEREAS, the Applicant seeks to construct an addition which will provide a large gymnasium and additional classroom space to the property; and

WHEREAS, the Village Board votes to override the Rockland County Commissioner of Planning’s correspondence provided under General Municipal Law § 239-M which recommended denial of the instant application.

WHEREAS, the Village Board held a duly noticed public hearing for the proposed special permit application on March 19, 2024; and

WHEREAS, the Applicant has agreed to provide a drainage plan, proper alarms and other safeguards to the building’s entrance and exits which will be maintained safely.

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 four (4) story addition to the school located at 185 North Main Street.

Section 3. That the special permit is granted with an override of the Rockland County Commissioner of Planning's general denial and comments.

Section 4. The applicant will provide a drainage plan, proper alarms and other safeguards to the building's entrance and exits which will be maintained safely.

Section 5. 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 Grossman	Yes
Trustee Clerina	Yes
Trustee Eisenbach	Yes
Trustee Gross	Yes

Dated: March 19, 2024

Public Hearing was held for the applicant of 26 Ohio Avenue seeking a Zone Change from R2 to GB. Mayor Simon moved to open and close the public hearing, seconded by Trustee Gross and carried by all. Public Hearing was adjourned to April 2, 2024 for approval.

Trustee Gross moved to set a public hearing, seconded by Trustee Smith for April 16, 2024 for the applicant of 29, 33 & 35 Summit Avenue seeking a Zone Change from R1 to R4.

Resolution No. T-053-3.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION CALLING FOR AN INCREASE IN AID AND
INCENTIVES FOR MUNICIPALITIES IN THE NEW YORK
STATE BUDGET**

WHEREAS, the Aid and Incentives for Municipalities Program (hereinafter "AIM") plays a critical role in funding essential municipal services for cities and villages across New York State; and

WHEREAS, city and village officials share the same priorities as our state leaders, which is to make New York safer and more affordable; and

WHEREAS, New York's local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals; and

WHEREAS, the State has not increased AIM funding in 15 years and according to the Bureau of Labor Statistics, inflation has increased by nearly 45% during that same period; and

WHEREAS, this neglect from the State has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff; and

WHEREAS, the property tax cap further limits the ability of local governments to properly fund the services their residents need; and

WHEREAS, the challenges of rising inflation, the increasing costs of labor and supplies, and the end of extraordinary federal aid, only accentuate the need for an increase in AIM funding; and

WHEREAS, the Governor’s 2024-25 Executive Budget proposes to keep AIM Funding Flat; and

WHEREAS, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York.

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 urges Governor Hochul to work with leaders of the Senate and Assembly to increase AIM funding in the 2024-25 adopted State Budget.

Section 2. A copy of this resolution shall be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Bill Weber, Assemblymember John McGowan and the New York State Conference of Mayors and Municipal Officers,

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: March 19, 2024

Trustee Grossman read the February 2024 Spring Valley Police Report into the record.

Resolution No. T-054-3.19.24

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

**RESOLUTION AUTHORIZING MAYOR SIMON TO SIGN
AN INTERMUNICIPAL AGREEMENT WITH THE TOWN
OF RAMAPO FOR THE 2024 SUMMER CAMP PROGRAM**

WHEREAS, in 2023 the Village put out a request for bids to host summer camp activities for Village residents, which allows the Village to continue the agreement for 2 more years; and

WHEREAS, the Village wishes to have the Town of Ramap to host Village children in its summer camp program;

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 Mayor to enter into an agreement with the Town of Ramapo for the summer camp programs in 2024; 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 Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: March 19, 2024

Resolution No. T-055-3.19.24

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO ALLOW FIVE (4) EMPLOYEES TO
ATTEND THE NYSBOC ROCKLAND SEMINAR 2023 ON
MAY 2, 2024 THROUGH MAY 4, 2024**

WHEREAS, the Village's code enforcement personnel are regularly required to receive continuing education and training in Code Enforcement procedures and policies; and

WHEREAS, NYSBOC Rockland Seminar 2024 would provide the necessary training to the Village's code enforcement personnel to help protect the public health, safety and welfare; and

WHEREAS, one of the Village's code enforcement personnel, Dainde LaPlante works for another municipality and while the Village will pay his fee for the class, it will not pay for his hourly wage to attend such class.

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 five (5) Village employees to attend the NYSBOC Rockland Seminar 2024 paying their fees totaling \$1,400 for the classes and for those employees of the Village who are not employed by another municipality, the Village will pay their hourly rate for attending such seminar. For Mr. LaPlante who works for another municipality the Village will pay the cost of the course but will not pay an hourly rate for him to attend such course.

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: March 19, 2024

Resolution No. T-056-3.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

**AUTHORIZATION OF PAYMENT TO HARRIS BEACH,
PLLC IN THE AMOUNT OF \$32,894.95 FOR SERVICES
RENDERED FOR THE MONTH OF FEBRUARY 2024**

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

WHEREAS, Harris Beach, PLLC has rendered services totaling \$32,894.95; 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 \$32,894.95 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: March 19, 2024

Resolution No. T-057-3.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION ACCEPTING THE RESIGNATION OF
TYSHAUN BROWN FROM THE SPRING VALLEY FIRE
DEPARTMENT, EFFECTIVE MARCH 14, 2024**

WHEREAS, TySshaun Brown has submitted his resignation from the Spring Valley Fire Department, effective March 14, 2024;

WHEREAS, the Village Board wishes to accept Mr. Brown’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 TyShaun Brown’s resignation from the Spring Valley Fire Department, effective March 14, 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: March 19, 2024

Resolution No. T-058-3.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION ACCEPTING NEW MEMBERS TO THE
SPRING VALLEY FIRE DEPARTMENT, EFFECTIVE
MARCH 20, 2024**

WHEREAS, the Spring Valley Fire Department provides valuable emergency services to the Village; and

WHEREAS, the Spring Valley Fire Department has received membership applications from Ject Pakl, Jean Mathiew, as well as Michael Samaniego; and

WHEREAS, the Spring Valley 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 Ject Pakl, Jean Mathiew, and Michael Samaniego as members of the Spring Valley Fire Department, effective March 20, 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: March 19, 2024

Resolution No. T-059-3.19.24

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION ACCEPTING THE RESIGNATION OF
TYLER ZUILL AS GROUNDWORKER/LABORER,
EFFECTIVE MARCH 15, 2024**

WHEREAS, Tyler Zuill has submitted his resignation from Village employment as a Groundswoker/Laborer, effective March 15, 2024;

WHEREAS, the Village Board wishes to accept Mr. Zuill'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 Tyler Zuill's resignation, effective March 15, 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: March 19, 2024

Resolution No. T-060-3.19.24

Moved by Trustee Gross, Seconded by Trustee Grossman

**AUTHORIZATION TO SETTLE THE CLAIMS ASSERTED
BY MENDEL TAUB AGAINST THE VILLAGE OF SPRING
VALLEY RELATING TO HIS MILITARY SERVICE**

WHEREAS, Mendel Taub is employed by the Village of Spring Valley Police Department as a police officer; and

WHEREAS, Mr. Taub has elected to go on active military duty with the United States Air Force; and

WHEREAS, Mr. Taub has alleged claims under the Uniformed Services Employment and Reemployment Rights Act (“USERRA”), Employee Retirement Income Security Act (“ERISA”) and New York Military Law relating to his employment with the Village; and

WHEREAS, the Village has denied any violations of USERRA, ERISA, and/or New York Military Law; and

WHEREAS, the parties wish to avoid the expense of further litigation and wish to resolve any and all claims alleged by Mr. Taub.

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 settle the claims asserted by Mr. Taub in line with the attached Confidential Settlement Agreement and Release of Claims.

Section 2. The Village Board authorizes the Mayor to execute the Confidential Settlement Agreement and Release of Claims and further authorizes Village staff to take whatever actions necessary to effectuate the settlement of this matter.

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: March 19, 2024

Resolution No. T-061-3.19.24

Moved by Trustee Gross, Seconded by Trustee Smith

**AUTHORIZATION HIRING CYNTHIA GUALLPA AS A
SEASONAL MOTOR EQUIPMENT OPERATOR I**

WHEREAS, from time to time the Village has staffing needs which are seasonal in nature;
and

WHEREAS, the Village has received an application for employment from Cynthia
Guallpa; and

WHEREAS, the Village Board wishes to hire Cynthia Guallpa as a Seasonal Motor
Equipment Operator I.

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 appoints Cynthia Guallpa to the position of Seasonal Motor
Equipment Operator I.

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: March 19, 2024

Resolution No. T-062-3.19.24

Moved by Trustee Gross, Seconded by Trustee Grossman

**AUTHORIZATION TO HIRE MAG PAVING TO PERFORM
EMERGENCY ROAD REPAIRS NOT TO EXCEED \$35,000**

WHEREAS, following the winter months many of the Village's roadways are in need of reconditioning and patching; and

WHEREAS, the Village would like to hire Mag Paving to perform emergency repair work to Village Roads; 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 hire Mag Paving to perform roadway reconditioning and patching in an amount not to exceed \$35,000.

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to hire Mag Paving as outlined in its Estimate No. 2763 and requires that Mag Paving pay prevailing wage and provide certified copies of its payroll records verifying same.

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

Dated: March 19, 2024

Old Business:

Deputy Mayor Eisenbach expressed concerns that the metal plates at the intersection of Van Orden and Smith are still on the road.

Trustee Grossman expressed that Elener Road was opened by Cioffi without a permit. Trustee Grossman requested that Attorney Chafizadeh look into how the village can close roads once it's opened.

Trustees Report:

Deputy Mayor Eisenbach shared that the parts for the street sweeper is on order and are scheduled to be in this week.

Deputy Mayor Eisenbach thanked TyShaun Brown for his service with the fire Department and wished him well.

Trustee Grossman and Trustee Gross expressed that they would like to attend the 2024 NYCOM conference.

At 11:15 pm Trustee Gross moved to adjourn the Village Board meeting, Seconded by Mayor Simon and carried by all.