

VILLAGE OF SPRING VALLEY
VILLAGE BOARD
MAY 21, 2024 9:06 PM

Present: Deputy Mayor Eisenbach
Trustee Grossman
Trustee Gross
Trustee Smith

Absent: Mayor Simon

Also Present: Attorney Chafizadeh

Village Clerk Montgomery read the roll

Assemblage saluted the flag led by Ricky McGill

Resolution No. T-111-05.21.24

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 2023/21

Amount \$687,084.58

Claim #'s 56063012 thru 56063086

On Roll:

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

POST AUDITED GENERAL ABSTRACT 2023/21

Amount \$254,520.62

Claim #'s 56062933 thru 56063085

On Roll:

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

Dated: May 21, 2024

Resolution No. T-112-5.21.24

Moved by Trustee Gross, Seconded by Trustee Grossman

RESOLUTION APPROVING SECTION 8 ABSTRACT # 844

WHEREAS, Section 8 requests approval of Abstract # 844

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 #844 is hereby approved.

SECTION 8	AMOUNT
Abstract #844	\$719.52

On Roll:

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

Dated: May 21, 2024

Resolution No. T-113-5.21.24

Moved by Trustee Gross, Seconded by Deputy Mayor Eisenbach

**RESOLUTION GRANTING A ZONE CHANGE FROM
THE R1 (LOW-DENSITY RESIDENTIAL) ZONING DISTRICT TO
THE R4 (HIGH-DENSITY RESIDENTIAL) ZONING DISTRICT IN
CONNECTION WITH THE APPLICATION SUBMITTED BY THE OWNERS OF
29, 33, AND 35 SUMMIT AVENUE**

WHEREAS, the Village Board of Trustees held a Public Hearing to consider a zone change from the R1 (Low-Density Residential) Zoning District to the R4 (High-Density Residential) Zoning District, pursuant to the application submitted by the owners of 29, 33, and 35 Summit Avenue (the “Property”) to amend the zoning for the Property to allow for the construction of a multifamily housing building(s); and

WHEREAS, the applicant will be required to submit subsequent applications for site plan and special permit approval for the construction of a multifamily housing building(s) on the Property; and

WHEREAS, the Public Hearing was duly noticed according to law; and

WHEREAS, members of the public, members of the Board of Trustees, and representatives for the applicant were heard at said Public Hearing on May 21, 2024; and

WHEREAS, the Board voted to close the Public Hearing on May 21, 2024; and

WHEREAS, this zone change is contingent upon the owner complying with the requirements of the Village’s affordable housing ordinance as set forth in Village Code § 60-3 if and when a site plan and special permit are approved by the Village Boards and construction is complete; and

WHEREAS, the proposed change in the Zoning District is an Unlisted Action under the New York State Environmental Quality Review Act (“SEQRA”);

WHEREAS, the proposed zone change was referred to the County of Rockland Planning Board, pursuant to General Municipal Law § 239-m which in a letter dated 02/15/2022 recommended modifications of the application providing 40 comments thereto, such correspondence is annexed hereto as **Exhibit “A;”** and

WHEREAS, a response to the County’s Recommendation letter was provided by the property owner on May 21, 2024, addressing the 40 comments provided by the Rockland County Planning Board which require this Board to override same, a copy of the applicant’s response letter is annexed hereto as **Exhibit “B;”** and

WHEREAS, this zone change is contingent upon the applicant constructing a four (4) story building with duplexes being constructed in the back units; and

WHEREAS, after due deliberation, the Board determined that the purposes of the applicant, as well as the Village, would be better served if zoning of the subject properties was changed from the R1 (Low-Density Residential) Zoning District to the R4 (High-Density Residential) Zoning District; and

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

Section 1. Hereby ratifies and affirms each and every “Whereas” paragraph above and all contingencies mandated by this Board in the above “Whereas” clauses on the potential development must be strictly adhered to.

Section 2. The Village Board has deemed the proposed zone change an Unlisted Action under the SEQRA and issues a Negative Declaration.

Section 3. The Village Board has reviewed the February 15, 2022, GML § 239-m recommendation letter of Rockland County Planning and votes to override the comments 1-7, 12, 15-22, 28-33.

Section 4. The Village Board grants the applicant’s request for a zone change from the R1 (Low-Density Residential) Zoning District to the R4 (High-Density Residential) Zoning District at 29, 33, and 35 Summit Avenue, conditioned upon the conditions set forth above.

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

Dated: May 21, 2024

Resolution No. T-114-5.21.24

Moved by Trustee Gross, Seconded by Deputy Mayor Eisenbach

**RESOLUTION GRANTING A ZONE CHANGE FROM
THE R2 (MEDIUM-DENSITY RESIDENTIAL) ZONING DISTRICT TO
THE PRD (PLANNED RESIDENTIAL DEVELOPMENT OVERLAY)
ZONING DISTRICT IN CONNECTION WITH THE
APPLICATION SUBMITTED BY THE OWNERS OF 8, 10, AND 12 JOHN STREET**

WHEREAS, the Village Board of Trustees held a Public Hearing to consider a zone change from the R2 (Medium-Density Residential) Zoning District to the PRD (Planned Residential Development Overlay) Zoning District pursuant to the application submitted by the owners of 8, 10, and 12 John Street (the “Property”) to amend the zoning for the Property to allow for the construction of a multifamily housing building(s); and

WHEREAS the applicant will be required to submit subsequent applications for site plan and special permit approval for the construction of a multifamily housing building(s) on the Property; and

WHEREAS, the Public Hearing was duly noticed according to law; and

WHEREAS, members of the public, members of the Board of Trustees, and representatives for the applicant were heard at said Public Hearing on May 21, 2024; and

WHEREAS, the Board voted to close the Public Hearing on May 21, 2024; and

WHEREAS, the owner has agreed that the basement will only be used for storage; and

WHEREAS, this zone change is contingent upon the owner complying with the requirements of the Village’s affordable housing ordinance as set forth in Village Code § 60-3 if and when site plan and a special permit are approved by the Village Boards and construction is complete; and

WHEREAS, the proposed change in the Zoning District is an Unlisted Action under the New York State Environmental Quality Review Act (“SEQRA”);

WHEREAS, a copy of the proposed project plans, dated May 20, 2024, including sheets A-1 through A-5 are annexed hereto as **Exhibit “A;”**

WHEREAS, the project has received comments from The Rockland County Planning Board, pursuant to General Municipal Law § 239-m which in a letter dated April 30, 2024, recommended denial of the application providing 4 comments thereto, such correspondence is annexed hereto as **Exhibit “B;”** and

WHEREAS, a response to the County’s Disapproval letter was provided by the Property owner on May 21, 2024, addressing the 4 comments provided by the Rockland County Planning Board which require this Board to override the general disapproval as well as comments 1, and 2, a copy of which is annexed hereto as **Exhibit “C;”** and

WHEREAS, the Village Board has reviewed the proposed plans, dated May 20, 2024, including sheets A-1 through A-5; and

WHEREAS, the owner/applicant will propose only a three (3) story multifamily housing structure on the Property; and

WHEREAS, this zone change is contingent upon the owner complying with the requirements of the Village's affordable housing ordinance as set forth in Village Code § 60-3 if and when a site plan and special permit are approved by the Village Boards and construction is complete;

WHEREAS, after due deliberation, the Board determined that the purposes of the applicant, as well as the Village, would be better served if zoning of the subject properties was changed from the R2 (Medium-Density Residential) Zoning District to the PRD (Planned Residential Development Overlay) Zoning District; and

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

Section 1. Hereby ratifies and affirms each and every "Whereas" paragraph above and all contingencies mandated by this Board in the above "Whereas" clauses on the potential development must be strictly adhered to.

Section 2. The Village Board has determined that the proposed zoning amendment is an Unlisted Action under SEQRA and issues a Negative Declaration.

Section 3. The Village Board has reviewed the April 30, 2024, GML § 239-m disapproval letter of Rockland County Planning Board and votes to override the general disapproval and comments 1 and 2.

Section 4. The Village Board grants the applicant's request for a zone change from the R2 (Medium-Density Residential) Zoning District to the PRD (Planned Residential Development Overlay) Zoning District for the properties located at 8, 10, and 12 John Street, which application is for the construction of a multi-family housing building, in substantial similar form as detailed in the May 20, 2024 plans, including sheets A-1 through A-5.

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

Dated: May 21, 2024

Resolution No. T-115-5.21.24

Moved by Trustee Gross, Seconded by Trustee Smith

**AUTHORIZATION FOR SERGEANT DIPAOLA TO
ATTEND THE COLONEL HENRY F. WILLIAMS
INTERNATIONAL HOMICIDE SEMINAR IN ALBANY,
NEW YORK FROM SEPTEMBER 22, 2024 THROUGH
SEPTEMBER 27, 2024**

WHEREAS, the Colonel Henry F. Williams International Homicide Seminar (hereinafter the “Seminar”) will be held in Albany, New York from September 22, 2024 through September 27, 2024; and

WHEREAS, Lieutenant Schnaars requests that Sergeant Dipaolo attend the Seminar at a cost of \$1,650.00 plus the cost of gas and tolls.

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 Sergeant Dipaola to attend the Seminar at a cost of \$1,650.00 plus gas and tolls.

Section 2. The Village Board authorizes the Village staff to take whatever logistical actions are necessary to provide for the above.

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

Dated: May 21, 2024

Resolution No. T-116-5.21.24

Moved by Deputy Mayor Eisenbach, Seconded by Trustee Gross

**RESOLUTION ACCEPTING THE RETIREMENT OF POLICE
DEPARTMENT SERGEANT JOHN KELLY**

WHEREAS, Sergeant John Kelly has worked in law enforcement for 22 years, most recently with the Village of Spring Valley Police Department; and

WHEREAS, Sergeant Kelly has submitted notice that he will be retiring at the close of business on Friday, June 7, 2024.

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 Sergeant John Kelly’s retirement effective at the close of Business on Friday, June 7, 2024.

Section 2. The Village Board authorizes the Village staff to take whatever logistical actions are necessary to provide for the above.

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

Dated: May 21, 2024

Resolution No. T-117-5.21.24

Moved by Trustee Gross, Seconded by Trustee Smith

**ACCEPTANCE OF LOWEST BID FOR WORK TO BE
DONE AT THE MEMORIAL PARK PLAYGROUND**

WHEREAS, the Village has sought bids to install playground equipment at Memorial Park using \$200,000 in American Rescue Plan Act funds; and

WHEREAS, the Village received bids from six (6) bidders ranging from \$202,449.55 up to \$383,715.00; and

WHEREAS, the Village has reviewed the various bids.

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 accepts the bid of the lowest responsible bidder Pat Corsetti, Inc. in the amount of \$202,449.55.

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

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

Dated: May 21, 2024

Resolution No. T-118-5.21.24

Moved by Trustee Gross, Seconded by Trustee Smith

**AUTHORIZATION FOR ARCH POOLS TO MAKE
EMERGENCY POOL REPAIRS FOR THE 2024 SUMMER
SEASON NOT TO EXCEED \$30,000.00**

WHEREAS, the Village for many years has operated the Village Pool for use by residents during the summer; and

WHEREAS, the Village Pool is in disrepair and requires approximately \$30,000.00 in repairs to operate during the summer of 2024; 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 hire Arch Pools to make necessary repairs to the Village Pool, not to exceed \$30,000.00

Section 2. The Village Board authorizes the Village staff to take whatever actions necessary to issue payment for the necessary repairs.

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

Dated: May 21, 2024

Resolution No. T-119-5.21.24

Moved by Trustee Gross, Seconded by Trustee Grossman

**ACCEPTANCE OF LOWEST BID FOR MANAGEMENT OF
THE VILLAGE POOL FOR THE 2024 SUMMER SEASON**

WHEREAS, the Village has sought bids to manage the Village's Pool for the 2024 Summer Season; and

WHEREAS, the Village received bids from three (3) bidders ranging from \$131,250.00 up to \$171,150.00; and

WHEREAS, the Village has reviewed the various bids.

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 the bid of the lowest responsible bidder Arch Pools in the amount of \$131,250.00 to operate the Village Pool for the 2024 Summer Season.

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

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

Dated: May 21, 2024

Resolution No. T-120.5.21.24

Moved by Trustee Gross, Seconded by Trustee Smith

**RESOLUTION AUTHORIZING THE VILLAGE TO HIRE
GAMETIME TO INSTALL SWINGS AT TIGER’S DEN PARK**

WHEREAS, the has sought to install swings in Tiger’s Den Park; and

WHEREAS, the Village has identified Gametime, an approved New York State vendor who can install the swings for \$20,000.00; 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 authorizes Gametime to install swings at Tiger’s Den Park for \$20,000.00.

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

Dated: May 21, 2024

Resolution No. T-121-5.21.24

Moved by Trustee Grossman, Seconded by Trustee Gross

**AUTHORIZATION OF PAYMENT TO WHITEMAN,
OSTERMAN & HANNA, LLP IN THE AMOUNT OF
\$5,291.00 FOR SERVICES RENDERED IN THE MONTH OF
APRIL 2024**

WHEREAS, Whiteman Osterman & Hanna, LLP has been retained to represent the Village in legal matters involving the Building Department; and

WHEREAS, Whiteman Osterman & Hanna, LLP has rendered services totaling \$5,291.00 through April 30, 2024; 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 Whiteman Osterman & Hanna, LLP in the amount of \$5,291.00 for legal services rendered through April 30, 2024.

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

Dated: May 21, 2024

Resolution No. T-122-5.21.24

Moved by Trustee Gross, Seconded by Trustee Smith

**AUTHORIZATION OF PAYMENT TO THE GOLDMAN
ATTORNEYS PLLC IN THE AMOUNT OF \$2,680.00 FOR
SERVICES RENDERED IN THE MCDONALD'S TAX
CERTIORARI MATTER**

WHEREAS, Goldman Attorneys PLLC has been retained to represent the Village in a tax certiorari matter brought by McDonald's; and

WHEREAS, the Goldman Attorneys PLLC has rendered services totaling \$2,680.00; 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 Goldman Attorneys PLLC in the amount of \$2,680.00 for legal 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	Absent
Deputy Mayor Eisenbach	Yes
Trustee Grossman	Yes
Trustee Gross	Yes
Trustee Smith	Yes

Dated: May 21, 2024

Resolution No. T-123-5.21.2024

Moved by Trustee Gross, Seconded by Trustee Smith

**RESOLUTION SETTING A PUBLIC HEARING ON THE
APPLICATION OF THE OWNER OF 56-58 ROSE AVENUE
ALLOWING FOR THE CONSTRUCTION OF ONE-STORY
ADDITIONS TO TWO (2), EXISTING TWO-STORY
APARTMENT BUILDINGS AND CONVERSION OF THE
BASEMENT IN A REAR BUILDING INTO FOUR (4)
ADDITIONAL DWELLING UNITS IN THE PRD ZONING
DISTRICT, PURSUANT TO VILLAGE CODE CHAPTER A
APPENDIX § A-6 (B) (10)**

WHEREAS, the Village of Spring Valley has received an application submitted by the owner of 56-58 Rose Avenue seeking approval to allow for the construction of one-story additions to two (2), existing two-story apartment buildings and conversion of the basement in a rear building into four (4) additional dwelling units in the PRD Zoning District, pursuant to Village Code Chapter A Appendix § A-6 (B) (10); and

WHEREAS, such applications requires a public hearing.

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 sets a Public Hearing for June 4, 2024 on the application of the owner of 56-58 Rose Avenue seeking to allow for the construction of one-story additions to two (2), existing two-story apartment buildings and conversion of the basement in a rear building into four (4) additional dwelling units in the PRD Zoning District, pursuant to Village Code Chapter A Appendix § A-6 (B) (10).

Section 2. The Village Board authorizes the Village staff to take whatever logistical actions are necessary to schedule and hold the public hearing as provide for above.

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: May 21, 2024

At 10:35 pm Trustee Gross moved to adjourn the Village Board meeting, Seconded by Trustee Smith and carried by all present.