

VILLAGE OF SPRING VALLEY
VILLAGE BOARD
July 2, 2024 9:09 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 Deputy Mayor Eisenbach

Resolution No. T-152-07.02.24

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 2024/3

Amount \$70,584.28

Claim #'s 56063350 thru 56063422

POST AUDITED GENERAL ABSTRACT 2024/3

Amount \$159,366.96

Claim #'s 56063338 thru 56063421

Upon vote, motion carried by all.

Dated: July 2, 2024

Resolution No. T-153-7.2.27

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

**AUTHORIZATION OF PAYMENT TO HARRIS BEACH,
PLLC IN THE AMOUNT OF \$2,252.50 FOR SERVICES
RENDERED THROUGH JUNE 7, 2024 IN THE MATTER
OF SNEAD**

WHEREAS, Harris Beach, PLLC was retained to represent the Village in Section 8 legal matters; and

WHEREAS, Harris Beach, PLLC has rendered services totaling \$2,252.50; 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 and authorizes payment of Harris Beach, PLLC in the amount of \$2,252.50 for legal services rendered in Section 8 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:

Upon vote, motion carried by all.

Dated: July 2, 2024

Applicant of 56-58 Rose Avenue appeared for the continuation to amend their Special Permit increasing the number of units from 14 to 18 and to add a third story to each of the two buildings. Public Hearing was moved to close by Mayor Simon, Seconded by Trustee Grossman and carried by all. Trustee Grossman then motioned to adjourn this item until the July 16, 2024 meeting which was seconded by Trustee Gross and carried by all.

Public Participation:

Pastor Martel asked if the Village Board would address the public's questions raised at the previous meeting regarding the noise ordinance.

Derwin Manigault requested a response on the June 4th amplification decision and said they are prepared to file a petition if necessary.

Michael Stevens of Spring Valley commented that the pool was scheduled to be open on July 2, 2024, date changed to July 5, 2024 with no notification to the public. Spring Valley used to allow concerts in the park at the Flag-Pole now residents are reduced to 1 hour amplification. Mr. Stevens also expressed concerns that the residents no longer have bleachers to sit on to watch events.

James Fraizer of Spring Valley expressed the excessive amounts of taxis in Spring Valley. Mr. Frazier shared that the residents are limited to 1 hour amplification in the park but vehicles drove throughout the village with amplification for Aron Wieder's election.

Sherry Scott of Spring Valley expressed concern for children playing in Memorial Park with no lights available.

Hank Baxter of Spring Valley is concerned about public display of drunkenness and urination getting out of control. The village has an extreme number of peddlers and solicitors licenses being issued.

Resolution No. T-154-7.2.2024

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

RESOLUTION FOR APPROVAL OF A CONSULTING CONTRACT WITH REGINALD ANDERSON THROUGH DECEMBER 3, 2024

WHEREAS, pursuant to a series of consulting contracts Reginald Anderson has provided assistance to the Mayor's Office; and

WHEREAS, Mr. Anderson has been paid a prorated amount of an annual fee not to exceed \$91,000; and

WHEREAS, Mr. Anderson's contract term is set to expire.

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 seeks to extend Mr. Anderson’s consulting contract with the Village through December 3, 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	Abstain
Trustee Gross	Abstain
Trustee Smith	Abstain

Motion Fails

Dated: July 2, 2024

Resolution No. T-155-7.2.2024

Moved by Trustee Grossman, Seconded by Deputy Mayor Eisenbach

**RESOLUTION HIRING MATTHEW W. LIZOTTE, ESQ. TO
REPRESENT THE VILLAGE PLANNING BOARD AND
ZONING BOARD OF APPEALS**

WHEREAS, the Village Board seeks to retaining Matthew W. Lizotte, Esq. as an independent contractor to represent the Village Planning Board and Zoning Board of Appeals, for a period of four (4) months; and

WHEREAS, Mr. Lizotte will be paid at a rate of \$250.00 per hour and will not charge for travel time; and

WHEREAS, Mr. Lizotte will be submitting an engagement letter to such effect.

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 approves the hiring of Matthew W. Lizotte, Esq. to represent the Village Planning Board and Zoning Board of Appeals at an hourly rate of \$250.00 for a period of four (4) months, without payment for travel time.

Section 2. The Board directs staff to take whatever steps necessary to enter into an agreement with Mr. Lizotte as detailed above and make payment thereof.

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: July 2, 2024

Resolution No. T-156-7.2.2024

Moved by Deputy Mayor Eisenbach, Seconded by Mayor Simon

**AUTHORIZATION TO HIRE A-TECH CONCERT TO
REPAIR THE CURBING AND SIDEWALK AT YALE DRIVE
AND JILL LANE**

WHEREAS, the Village Board seeks to repair damaged curbing and sidewalks at Yale Drive and Jill Lane; and

WHEREAS, the Village has received a purchase order from A-Tech Concrete in the amount of \$34,990.00 to repair the curbing and sidewalks at Yale Drive and Jill Lane; and

WHEREAS, the Village seeks to gain to engage A-Tech Concrete to do the aforementioned work.

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 approves retaining A-Tech Concrete to repair the curbing and sidewalk at Yale Drive and Jill Lane for \$34,990.00.

Section 2. The Board directs staff to take whatever steps necessary to enter into an agreement with A-Tech Concrete, as approved by the Village Attorney, the procurement of appropriate insurance and payment thereof.

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: July 2, 2024

Resolution No. T-157-7.2.2024

Moved by Mayor Simon, Seconded by Deputy Mayor Eisenbach

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC IN
THE AMOUNT OF \$21,006.40 FOR SERVICES RENDERED
THROUGH MAY 31, 2024**

WHEREAS, the Village has retained Harris Beach, PLLC to provide legal services in various matters; and

WHEREAS, Harris Beach, PLLC has an outstanding amount due of \$21,006.40 for work performed through May 31, 2024; and

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 and approves the payment of \$21,006.40 to Harris Beach, PLLC for services rendered through May 31, 2024.

Section 2. The Board directs staff to take whatever steps necessary to make payment thereof.

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: July 2, 2024

Resolution No. T-158-7.2.2024

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO PAY SOKOLOFF STERN, LLP, IN
THE AMOUNT OF \$117.00 FOR SERVICES RENDERED
THROUGH MARCH 27, 2024, IN THE SHARIF MATTER**

WHEREAS, the Village has retained Sokoloff Stern, LLP to provide legal services in the Sharif matter; and

WHEREAS, Sokoloff Stern, LLP has an outstanding amount due of \$117.00 for work performed through March 27, 2024; and

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 and approves the payment of \$117.00 to Sokoloff Stern, LLP for services rendered through March 27, 2024 in the Sharif matter.

Section 2. The Board directs staff to take whatever steps necessary to make payment thereof.

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: July 2, 2024

Resolution No. T-159-7.2.27

Moved by Trustee Grossman, Seconded by Trustee Smith

**AUTHORIZATION OF PAYMENT TO MOSHE KLEIN IN
THE AMOUNT OF \$633.57 FOR TIRE DAMAGE AND RIM
REPAIR**

WHEREAS, Moshe Klein was operating a vehicle in the Village of Spring Valley; and

WHEREAS, Moshe Klein sustained damages to his 2022 Toyota Avalon totaling \$633.57; 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 Moshe Klein in the amount of \$633.57 for damage to his vehicle.

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:

Upon vote, motion carried by all.

Dated: July 2, 2024

Resolution No. T-160-7.2.2024

Moved by Trustee Gross, Seconded by Trustee Smith

**ESTABLISHMENT OF A NO PARKING ZONE ON THE
WEST SIDE OF VETERAN’S PARKWAY / MEMORIAL
PARK DRIVE**

WHEREAS, the Village Board has reviewed the traffic pattern on Veterans Drive / Memorial Park Drive; and

WHEREAS, the Village Board has determined that a no parking area should be established on the west side thereof coming from the park toward Route 59; and

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 and establishes a no parking area on the west side of Veteran’s Parkway / Memorial Park Drive from the park traveling toward Route 59, allowing for the parking of emergency service vehicles therein.

Section 2. The Board directs staff to take whatever steps necessary to post the appropriate signage.

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: July 2, 2024

Resolution No. T-161-7.2.2024

Moved by Trustee Gross, Seconded by Trustee Grossman

**ESTABLISHMENT OF NO PARKING ZONES AT THE
INTERSECTION OF NORTH COLE AVENUE AND WEST
CHURCH STREET**

WHEREAS, the Village Board has reviewed the traffic pattern at the intersection of North Cole Avenue and West Church Street; and

WHEREAS, the Village Board has determined that a no parking area should be established on the west side of North Cole Avenue in front of 31-35 North Cole Avenue; and

WHEREAS, the Village Board has also determined that no parking areas should be established on either side of West Church Street, within 30 feet of its intersection with North Cole Avenue.

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 and establishes a no parking area on the west side of North Cole Avenue in front of 31-35 North Cole Avenue, as well as establishing no parking zones on both sides of West Church Street within 30 feet of its intersection with North Cole Avenue.

Section 2. The Board directs staff to take whatever steps necessary to post the appropriate signage.

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: July 2, 2024

Resolution No. T-162-7.2.2024

Moved by Trustee Gross, Seconded by Trustee Smith

**ESTABLISHMENT OF ONE-WAY TRAFFIC FOR BUSES
ONLY ALONG NORTH COLE AND COLLINS AVENUES**

WHEREAS, the Village Board has reviewed the traffic patterns for North Cole Avenue and Collins Avenue; and

WHEREAS, there has been a proposal to allow bus traffic to travel only in one direction on such streets; and

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 and considers an application to allow bus traffic to travel only in one direction on North Cole and Collins Avenues.

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	Abstain
Trustee Grossman	Nay
Trustee Gross	Yes
Trustee Smith	Yes

Motion Failed

Dated: July 2, 2024

Resolution No. T-163-7.2.2024

Moved by Trustee Grossman, Seconded by Deputy Mayor Eisenbach

**RESOLUTION MODIFYING THE VILLAGE’S PARADE
AND PUBLIC ASSEMBLY APPLICATIONS AND PERMITS
FOR MEMORIAL PARK**

WHEREAS, on June 4, 2024 the Village Board adopted a resolution modifying the Village’s parade and public assembly applications and permits; and

WHEREAS, the Village Board has further considered such resolution and proposals to restrict the use of sound amplification equipment in Memorial Park only; 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 modifies its prior June 4, 2024 resolution to provide that the resolution only applies to the geographical boundaries within Memorial Park.

Sound amplification equipment shall only be permitted to be used for a maximum of one (1) hour when a four (4) hour public assembly permit is issued and a maximum of two (2) hours when a full day public assembly permit is issued. Each applicant shall set forth in its application for a permit the specific times it desires to amplify sound within Memorial Park and such time increments shall be no less than thirty (30) minutes.

Section 2. The Village Board authorizes staff to take necessary action to enforce such requirements.

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: July 2, 2024

Old Business:

Trustee Grossman discussed the completion of the dead end of Collins and thanked Mayor Simon along with DPW for working together to get it done.

Deputy Mayor Eisenbach offered that the 2024 Village Fireworks would be held on July 7th with a rain date of July 8th.

At 10:34 pm Trustee Gross moved to adjourn the Village Board meeting, Seconded by Trustee Smith and carried by all.