

**VILLAGE OF SPRING VALLEY**  
**VILLAGE BOARD**  
**AUGUST 20, 2024 9:02 PM**

Present: Mayor Simon  
Trustee Gross 9:03pm  
Trustee Smith

Absent: Deputy Mayor Eisenbach  
Trustee Grossman

Also Present: Attorney Chafizadeh

Village Clerk Montgomery read the roll

Assemblage saluted the flag led by Mayor Simon

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**Resolution No. T-187-08.20.24**

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 2024/6**

Amount \$653,647.00

Claim #'s 56063801 thru 56063873

Moved by Mayor Simon, Seconded by Trustee Gross, Trustee Smith Yes, Trustee Grossman & Trustee Eisenbach Absent

**POST AUDITED GENERAL ABSTRACT 2024/6**

Amount \$1,089,132.78

Claim #'s 56063799 thru 56063874

Moved by Mayor Simon, Seconded by Trustee Gross, Trustee Smith Yes, Trustee Grossman & Trustee Eisenbach Absent

Dated: August 20, 2024

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**Resolution No. T-188-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION APPROVING SECTION 8 ABSTRACT # 848**

WHEREAS, Section 8 requests approval of Abstract # 848

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 #848 is hereby approved.

<b>SECTION 8</b>	<b>AMOUNT</b>
Abstract #848	\$2,840.33

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

Dated: August 20, 2024

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**Resolution No. T-189-8.20.2024**

Moved by Mayor Simon, Seconded by Trustee Gross

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC IN  
THE AMOUNT OF \$2,862.00 FOR SERVICES RENDERED  
IN THE RODRIGUEZ MATTER**

WHEREAS, the Village has retained Harris Beach, PLLC to provide legal services in the Rodriguez matter involving Section 8 Benefits; and

WHEREAS, Harris Beach, PLLC has submitted an invoice totaling \$2,862.00; and

WHEREAS, all costs are to be reimbursed by Section 8.

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 \$2,862.00 to Harris Beach, PLLC for services rendered in the Rodriguez matter with monies to be paid by the Section 8 Office.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-190-8.20.2024**

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC IN  
THE AMOUNT OF \$3,630.50 FOR SERVICES RENDERED  
IN THE SNEAD MATTER**

WHEREAS, the Village has retained Harris Beach, PLLC to provide legal services in the Snead matter involving Section 8 Benefits; and

WHEREAS, Harris Beach, PLLC has submitted an invoice totaling \$3,630.50; and

WHEREAS, all costs are to be reimbursed by Section 8.

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 \$3,630.50 to Harris Beach, PLLC for services rendered in the Snead matter with monies to be paid by the Section 8 Office.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Public Participation:**

Mrs. Clover of the Rockland United Crusade thanked all who assisted with the clean-up in the park and the bathrooms of human feces for their annual crusade.

Sherry Scott of Rockland County Concerned Citizens of Spring Valley expressed her concerns for the Larry Weinstein Building being used for prostitution and has human feces all over the place. In addition, Ms. Scott voiced concerns of the horrible conditions of our parks.

James Fraizer of Spring Valley shared that he has been complaining about the conditions of the parks all summer and would like to know where money for our parks is being slated? Mr. Fraizer expressed how disrespectful it is for the workshop to continue past the time of the Village Board meeting as the residents are waiting?

Hank Baxter of Wood Street complained about the village being unkempt. Mr. Baxter would like to see the flag replaced on the flagpole. Mr. Baxter also shared concerns about the infestation of bedbugs, roaches and rats in the village.

Mr. Steinmetz thanked the Village Board for the road work completed on Route 45 and Ewing Avenue.

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Mayor Simon moved to set a public hearing for September 3, 2024 to amend the code to regulate billboards in the village of Spring Valley which was seconded by Trustee Gross and carried by all.

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**Resolution No. T-191-8.20.2024**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING THE VILLAGE TO  
HIRE MICHAEL HAESCHE TO ASSIST THE FINANCE DEPARTMENT**

WHEREAS, the Treasurer recently resigned leaving a vacancy in such position; and

WHEREAS, the Village needs to finalize its 2022 and 2023 financial audits; and

WHEREAS, Michael Haesche has experience preparing financial books and records for audits.

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 authorizes the Mayor to sign an agreement, subject to the approval of language by the Village Attorney, hiring Michael Haesche as an independent contractor, to prepare the Village’s financial books and records for audit review, at a rate of \$150.00 an hour.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-192-8.20.24**

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION ISSUING AN FAVORABLE  
RECOMMENDATION AS TO THE LIQUOR LICENSE  
APPLICATION FOR COLUMBIA TROPICAL  
LOCATED AT 196 ROUTE 59**

WHEREAS, the Village has received notice that there has been an application submitted by Columbia Tropical seeking a liquor license for the premises located at 196 Route 59 in Spring Valley; and

WHEREAS, the Village Board has received a report from the Police Department which recommends approving this request.

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 issues a favorable recommendation as to Columbia Tropical’s request for a liquor license at 196 Route 59 Spring Valley.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-193-8.20.2024**

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION AUTHORIZING THE REFUND OF  
ESCROW RETAINER FOR SOIL REMOVAL AT 75 & 80 NORTH  
COLE AVENUE IN THE AMOUNT OF \$10,000.00**

WHEREAS, the Village of Spring Valley is holding \$10,000.00 in escrow for soil removal work occurring at 75 & 80 North Cole Avenue; and

WHEREAS, the soil removal work has been completed.

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 authorizes the release of the \$10,000.00 escrow retainer for soil removal work at 75 & 80 North Cole Avenue.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-194-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING COLLIERS  
ENGINEERING & DESIGN TO PERFORM A DRAINAGE  
REVIEW OF WORK TO BE PERFORMED AT  
56-58 ROSE AVENUE**

WHEREAS, the Village been informed of drainage issues at 56-58 Rose Avenue; and  
WHEREAS, the Village has retained Colliers Engineering & Design to perform engineering work on a variety of projects.

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 Colliers Engineering & Design to perform a drainage review of work to be performed at 56-58 Rose Avenue with the monies to be paid from the developer’s escrow.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-195-8.20.2024**

Moved by Trustee Gross, Seconded by Mayor Simon

**AUTHORIZATION TO PAY HARRIS BEACH, PLLC IN  
THE AMOUNT OF \$45,171.92 FOR SERVICES RENDERED  
IN VARIOUS MATTERS**

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

WHEREAS, Harris Beach, PLLC has submitted invoices totaling \$45,171.92 for services rendered between July 1, 2024 and July 31, 2024.

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 \$45,171.92 to Harris Beach, PLLC for services rendered in various matters between July 1, 2024 and July 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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-196-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING SETTLEMENT OF THE  
CLAIMS FILED BY ROBERT NESI AGAINST THE  
VILLAGE FOR THE ASSIGNMENT OF SHIFTS**

WHEREAS, the Civil Service Employees Association (hereinafter “CSEA”), on behalf of court attendant, Robert Nesi, filed a claim alleging the improper assignment of court attendants’ shifts; and

WHEREAS, such claims were heard by an arbitrator who granted CSEA’s application finding that the Village had ceased assigning shifts based on seniority; and

WHEREAS, the arbitrator instructed CSEA and the Village to review the actual shifts worked during the period of the alleged violation and determine which shifts would have been worked by Mr. Nesi during such period to calculate a “make whole” remedy; and

WHEREAS, the arbitrator’s decision was confirmed by the New York State Supreme Court Rockland County, which decision was affirmed by the Appellate Division, Second Department; and

WHEREAS, the Village and CSEA have reviewed the necessary information and agreed to settle Mr. Nesi’s claims for \$10,116.53.

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 and agrees to settle Mr. Nesi’s claims with the Village in the amount of \$10,116.53, provided he provides a general release in favor of the Village.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-197-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION TRANSFERRING \$150,000.00 FROM THE  
VILLAGE’S ESCROW FUND TO THE GENERAL FUND**

WHEREAS, the Village regularly receives planning and zoning applications, requiring the review of plans and specifications by professional engineers, attorneys and the like; and

WHEREAS, the costs to review such planning and zoning applications are paid by developers who place funds into the Village’s escrow account; and

WHEREAS, the Village has in its Escrow Account \$150,000.00 which can be transferred to the Village’s General Fund as recommended by the Village Treasurer and independent auditor.

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 \$150,000.00 from the Village’s escrow account to the General Fund.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-198-8.20.24**

Moved by Trustee Gross, Seconded by Mayor Simon

**RESOLUTION AUTHORIZING PENFLEX TO ISSUE A  
PRE-ENTITLEMENT AGE TOTAL AND PERMANENT  
DISABILITY BENEFIT PAYMENT TO EDWARD STARR**

WHEREAS, the Village previously established the Spring Valley Fire Department Service Award Program (hereinafter the Award Program”); and

WHEREAS, Edward Starr has served as a member of the Spring Valley Fire Department for a number of years; and

WHEREAS, Edward Starr has submitted an application for a Pre-Entitlement Age Total and Permanent Disability Benefit under the Award Program; and

WHEREAS, the Social Security Administration has deemed Mr. Starr disabled, a copy of which determination is attached hereto.

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 on the strength of the Social Security Administration’s determination authorizes Mr. Starr to receive a Pre-Entitlement Age Total and Permanent Disability Benefit under the Award Program.

Section 2. The Village Board further authorizes Penflex Actuarial Services, LLC to issue a Pre-Entitlement Age Total and Permanent Disability Benefit to Mr. Starr.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-199-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION APPOINTING CHAIM LEBRECHT TO THE  
VILLAGE PLANNING BOARD**

WHEREAS, there is a vacancy on the Village Planning Board; and

WHEREAS, Chaim LeBrecht has expressed interest in serving on the Planning Board; 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 and appoints Chaim LeBrecht to the Village Planning Board.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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**Resolution No. T-200-8.20.24**

Moved by Mayor Simon, Seconded by Trustee Gross

**RESOLUTION AUTHORIZING THE VILLAGE TO ENTER  
INTO AN AGREEMENT WITH ANTHONY MALLIA**

WHEREAS, the Village is looking to perform an audit of the Village’s departments to ensure that all departments are running efficiently and are properly staffed; and

WHEREAS, Anthony Mallia has the necessary background and qualification to provide this service; and

WHEREAS, the Village wishes to hire Mr. Mallia as an independent contractor, for a period of six (6) months, at a cost of \$37,500.00.

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 contract with Mr. Mallia at a rate of \$37,500.00, to be pro-rated if the agreement is terminated prior thereto, subject to the approval of language by the Village Attorney.

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	Absent
Trustee Grossman	Absent
Trustee Gross	Yes
Trustee Smith	Yes

Dated: August 20, 2024

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At 9:34 pm Trustee Gross Simon moved to adjourn the Village Board meeting, Seconded by Mayor Simon and carried by all.