

MINUTES OF THE BOARD OF TRUSTEES

VILLAGE OF CHESTNUT RIDGE

December 21, 2017

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on December 21, 2017 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

JOAN BROCK - DEPUTY MAYOR

RICHARD MILLER - TRUSTEE

GRANT VALENTINE - TRUSTEE

ABSENT:

HOWARD COHEN - TRUSTEE

WALTER R. SEVASTIAN - VILLAGE ATTORNEY

FLORENCE A. MANDEL - RECORDING SECRETARY

1.Pledge of Allegiance.

2.Mayor’s report.

- Had opportunity to have Sunday with the Mayor on December 3, 2017.
- Will not be having a Sunday with the Mayor in January, 2018.
- On behalf of the Village, we extend our thanks to Tony Sharan for doing the great job that he did.
- Mr. Sharan is retiring the end of the year as Superintendent of Ramapo Highway Department.

3.Open Floor: Public discussion of Agenda Items only.

No one from the public wished to speak.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Close the Public Discussion on Agenda Items only.

Approval of Minutes of Village Board Meeting of November 16, 2017.

MOTION: Trustee Miller

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Approve the Minutes of November 16, 2017.

5. Resolution No. 2017-94 – Resolution approving Road Maintenance Agreement with the Town of Ramapo (\$508,332.00).

Mayor Presti: There has been no change.

RESOLVED that the contract with the Town of Ramapo for Highway services for the period of January 1, 2018 through December 31, 2018 at a cost not to exceed \$508,332.00 is hereby approved, and be it further

RESOLVED that the Mayor is hereby authorized to execute said contract and take all actions necessary to implement this resolution.

MOTION: Deputy Mayor Brock

SECOND: Trustee Miller

The Board was polled and voted 4-0 to adopt Resolution No. 2017-94 Road Maintenance Agreement with the Town of Ramapo.

6.Resolution No. 2017-95: Resolution approving Abstract of Audited Claims.

RESOLVED, that General Fund Claims set forth on pages 1 through 3 in the aggregate amount of 127,104.54 as set forth on Abstract No. 2017-12 dated December 21, 2017, as submitted by the Village Treasurer be hereby approved.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to approve the Abstract of Audited Claims.

7. OPEN FLOOR – Public Discussion.

Hilda Kogut – 20 Pine Knoll Ct. Chestnut Ridge, NY 10977:

- Requested the Village make one Code Enforcement Officer Full Time.
- Asked again if the members of the different Boards talk to each other and confer with one another; they are charged with the good care of the Village.

Mayor Presti:

- Ongoing discussion regarding making a Full Time Code Enforcement Officer.
- Boards are supposed to be independent of each other; with a mission and they have statutory authority that is set for that particular Board.
- The Boards through their respective attorneys are normally kept up to speed as to generally what is going on within the Village with the need that they should be aware.
- The Board Chairmen speak to their respective Board Attorneys if there are issues they should be made aware of they will bring it to their Board's attention.
- They are always welcome to educate themselves within the perimeters of what is available.

Attorney Sevastian:

- A matter goes to the Zoning Board typically after it's been to Planning and the Zoning Board gets the minutes and the secret determination of the Planning Board; usually that's referenced in the Zoning Board's decision.

Trustee Miller:

- I was Chairman of the Zoning Board for twenty-three years.
- It was worth for the Zoning Board to remain independent and not be influenced by anybody.
- We never spoke to the Trustees; the Trustees never spoke to us at the Zoning Board.
- It's important for them to make decisions on what is presented to them at the Zoning Board.
- When I was Zoning Board Chairman, I never went to other meetings; I did not want to be influenced by anybody.
- This interaction would be very harmful they should not feel any pressure.

Deputy Mayor Brock:

- If something comes to the Planning Board, the Planning Board sends it to the ZBA.

Hilda Kogut – 20 Pine Knoll Court, Chestnut Ridge, New York 10977:

- When Building Permits were issued in prior years there was a potential for discussion with the Planning Board on a particularly challenging property or a challenging construction project.
- Maybe the Village can think about changing the rules so that if someone comes and is building an unusually large addition with a particularly large structure maybe another set of eyes could look at the plans before decisions are granted and made; have a broader look at.
- Decisions are made unilaterally and she was troubled by that.
- is there another way?

Deputy Mayor Brock:

- Within the Zoning of a property there is a certain floor, area, ratio you are allowed to have without any variance.

- If an application comes in and it meets within the floor, area, ratio it's legal.

Mayor Presti:

- There is a process that permit any type of construction within the State Law.
- After that, by statutory law certain personnel within the Village; the Building Inspector is authorized, in accordance with statutory law has certain powers.
- So long as it fulfills the requirements of whatever is going on.
- There is no requirement for a second set of eyes as to what's going on.
- The law provides the Building Inspector to do that job.
- Approval versus enforcement are sometimes separate things, sometimes they are together.
- I understand your question and I understand what you are trying to say that another set of eyes cannot hurt.

Attorney Sevastian:

- I wanted to talk to Russell about this.
- When Building Applications are made and a set of plans are done, maybe things in those plans, maybe some type of design is unusual, to say, "I can look further into that".
- Hey, say, "that looks unusual, to have this design, weird", there are ways, maybe not even Russell, but a consultant can look at it.
- Things can change in construction.

Mayor Presti:

- It's not unusual and not something the Building Department would be prohibited from doing.

Deputy Mayor Brock:

- There will never be another 27 Eldorado because we changed the law.

Mayor Presti:

- We changed the law because at the time the Village was established in 1986 it was different from what we are doing now.
- We changed the law because things evolve with regard to the development of the Village.

Trustee Valentine:

- Stated he appreciated that being brought to his attention.

Hilda Kogut – 20 Pine Knoll Ct., Chestnut Ridge, New York 10977:

- Sylvan property, there was a violation of that regarding some of the work that was done on the property, over 200 cars.
- 750 Chestnut Ridge Rd., continued operation, there was a violation, came before the Zoning Board for a variance in August and nothing has been done since, they continue to operate.

Mayor Presti:

- They are still before the ZBA.

Hilda Kogut – 20 Pine Knoll Ct., Chestnut Ridge, New York 10977:

- They haven't been back in five months, so they get to occupy the space.
- Unless we know otherwise, it's still dangerous to be in there.
- The Gould property, which was issued temporary Certificates of Occupancy, are they up to date?
- Have they turned in their stuff?
- How many buildings are they supposed to be operating?
- There are a lot of lights on.

Mayor Presti:

- Since the Court still has jurisdiction on this matter, the Village has had to report back on a periodic basis as to us what's going on.
- Not as expeditiously as the property owner and the Village would like it to be.
- There has been progress made.

Attorney Sevastian:

- All the buildings that are operating we knew about at the hearing.
- We are cleaning up the little guard house.
- The gate on the commercial building to the south.
- They had a small fire in the basement of number fourteen which is a cottage.
- There was a small fire there two weeks ago.
- The next two buildings to be brought on line are a gymnasium and a storage bunker.

Faigy Szanger – 6 Weiss Terrace, Chestnut Ridge, NY 10977:

- Wanted to advocate to build a park for the children to ride their bikes, play basketball.
- Park equipment and benches for the moms.
- Wanted a place to meet on evening, weekends, etc.
- Wanted to know the best way to go ahead and proceed; is it by filing a petition?

Mayor Presti:

- It's a multifaceted request that you're making.
- Children's Park, while it's in Chestnut Ridge, belongs to East Ramapo.
- The Village of Chestnut Ridge does not have the personnel to maintain park space.
- For the Village it means costing substantial sums of money to acquire the property.
- Have to find large spots of property that would be able to accommodate that type of recreational space.
- Buying equipment and having to maintain it which is expensive.
- Go back to the school district.
- If there is a way for them to better utilize the recreational space they have now, that would be the way to do it.
- Go to an East Ramapo Board Meeting and basically you would have to advocate for them increasing or improving their recreational space.

- We've got schools that have recreational space; go past Margetts School has a playground there, The Middle School you've got green space, Eldorado School, Fleetwood School,
- There would have to be more advocacy from the residents of the Village.

Jerry Liebelson – 31 Midway Rd., Chestnut Ridge, NY 10977:

- Following up 3 Spring Hill Terrace – stated it was self-evident to him and a lot of people that the Building Department is not adequately staffed.
- Thought there is was question of competency with regard to 3 Spring Hill Terrace; how it affects the quality of life.
- The group should be at these meetings; stated it was his mission to articulate and inform all these people.
- Excess buildings, violations.
- 83-95 Red Schoolhouse Rd., there is a proposal to build a Yeshiva for 1,000 students; means something like thirty bus loads, traffic, congestion.
- Asphalt and concrete and it's covered over; not done by the Yeshiva; tall trees that are dead because they are buried by the asphalt.
- The Code Inspector has given the Yeshiva a violation to clean up that mess now that they own it; last February.
- What's going on there, why haven they cleaned it up?
- They are probably given a leniency about it until they start building; maybe then they'll clean it up.
- There has been a number of issues on that property; not the dumping but chicken shacks there.
- This again speaks to the problem that these violations and situations are happening but there is not enough staff to address them.
- 21 Lancaster–fifth incident of this kind of thing; dozens of truckloads of fill and dirt has been dumped in this backyard which slopes steeply down; in order for them to have a bigger back yard; no concern for drainage, for engineering.
- Everette knows now and has put a violation notice on it.
- This is now the fourth incident with this company.
- There are new residents who are willing to take untested dirt that could be contaminated.
- When you see me here I'll have two hundred people here.

Mayor Presti:

- We have an "Open Door" Policy in the Village
- You can have 200, 300, 800 people.
- We represent 8,400 people in this Village.
- We try to represent everyone in this Village.
- We do our job within the perimeters of the law.
- You are welcome to do whatever research you want to do.
- You are welcome to bring all the people you want to.
- Before any application is approved, it goes before the Zoning Board; it goes before a Planning Board.

- If the Planning Board decides they need to clean up the site at the school that has 1,000 children, they are going to clean it up.
- If the Zoning Board Code says they can have a school with 1,000 kids on ten acres of property then they are going to have a school with 1,000 kids.
- Whether you like it or not, the law allows them to have it.
- If you are unhappy with the way the law is, that is your opinion.
- It is the practice of the Board to follow the law.
- You may have an opinion as to whether we are enforcing it correctly; but that is your opinion.
- Eventually a Court of Law may have to decide.
- We have Consultants that provide us with top notch advice; whether it be the Village Attorney, Village Engineer, Village Planner, whether it be the Planning Board Chairman.
- I am very confident with the support staff of the Village.
- They don't have an ax to grind.
- They answer to the Board of Trustees.
- They don't worry about who they are going to offend or who is going to take it the wrong way; they tell us what the law is and they enforce the law.

Jerry Liebelson:

- The results are things are broken.
- 3 Spring Hill Terrace should have never happened.

Mayor Presti:

- That is before the Zoning Board, we cannot discuss one word.

Jerry Liebelson:

- Additional accidents because of the buses.
- That means there is going to be congestion; you can't get emergency vehicles through.

Mayor Presti:

- My suggestion is you go to the meetings, you look at the files; there will be traffic studies done, environmental studies, etc.
- There will be lots of things going on and you have access to that documentation; foil the file.

Richard Cunningham – 10 Appledale Lane, Chestnut Ridge, NY 10977:

- Who monitors road openings for the Village?
- 15 Appledale Lane; they opened for a sewer for a house to be built; no saw cutting.
- They had an impactor down here because it was done two weeks ago.
- The house was going under construction for four months; why did they wait for the middle of December to jack hammer frost?
- It is not saw cut, it's not even, it's jagged as can be.
- it's got about an 1-1/2" of material in it; that will last probably six weeks; it is going to cause problems.
- 125 Red Schoolhouse Rd., at end of Williams Rd. a rental property in the back, a safety hazard, they put a flood light that shines right down on Williams Rd.; it's a safety hazard.
- When you come up that road, it shines right in your eyes.

Mayor Presti:

- The Road Opening Permit - The Village Engineer, Martin Spence handles it.

Anthony Sharan – 868 Chestnut Ridge Rd., Chestnut Ridge, NY 10977.

- Many years ago, the Town of Ramapo passed a law regarding sidewalks.
- Who is responsible to shovel the sidewalks?
- Are the other side walks being shoveled too?
- Summit Rd. to the sidewalk over on Rt. 45.
- I've never seen that shoveled.
- Village of Airmont passed a law forty-eight hours.

Mayor Presti:

- We do have a Village Law that puts the responsibility on the property owner.
- The State just recently signed off on the project being completed.
- The improvements that were done; drainage structures, things of that nature, will become the responsibility of the Village.
- The State Rd., will be the responsibility of the State Highway Department.
- The Village Attorney is drafting a letter to go with in addition to the Village Law saying to the property owner is responsible to shovel their walk.
- If they are not shoveling the sidewalks, and someone gets hurt, the liability will be on the homeowner as far as insurance is concerned.

MOTION TO CLOSE THE OPEN FLOOR PUBLIC DISCUSSION:

MOTION: Trustee Miller

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Close the Open Floor Public Discussion.

MOTION TO ADJOURN MEETING AND GO INTO EXECUTIVE SESSION.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Adjourn the Meeting and enter into Executive Session.

MEETING ADJOURNED: 8:47 P.M.

EXECUTIVE SESSION ADJOURNED: 9:25 P.M.

Respectfully submitted,

Florence A. Mandel

Village Clerk

