

MINUTES OF THE BOARD OF TRUSTEES

VILLAGE OF CHESTNUT RIDGE

MARCH 16, 2017

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on March 16, 2017 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

HOWARD COHEN - TRUSTEE

RICHARD MILLER - TRUSTEE

GRANT VALENTINE - TRUSTEE

ABSENT

JOAN BROCK - DEPUTY MAYOR

PRESENT:

WALTER R. SEVASTIAN - VILLAGE ATTORNEY

FLORENCE A. MANDEL - RECORDING SECRETARY

1. Pledge of Allegiance.

2. Mayor's report.

- Mayor welcomed everyone. Thanked everyone for coming out. It is appreciated.
- On March 12th, Trustee Cohen kept me company at Sunday with the Mayor.
- The next Sunday with the Mayor will be on the second Sunday of month, April 9th.
- 681 Chestnut Ridge Rd., (the Gould property); we are due to return back to Judge Christopher on Wednesday, March 29th at 9:45 am with a status of what's going on since the last hearing on March 1, 2017.
- We will keep you posted with regard to that.
- 750 Chestnut Ridge Rd., - Building Dept. following up with various violations that are before the Justice Court.
- I am told there is an application for site plan approval on the property; a work in progress.
- Sylvan pool property; there was some concern with a contiguous development that was going previously to be there.
- There were known environmental issues when the major portion of the property was going to be developed.
- They made appropriate applications to the Building Department.
- The Building Inspector has expressed to the current tenant that there is no environmental issues on that particular portion of the property while there has been word that there is.
- We are going to get confirmation with regard to Sylvan Pools one way or another.
- As you know our Village Election is going to be March 21st, next Tuesday, polls open right here, 7 am to 9 pm.
- We ask that you come out and make sure your voices are heard.
- Our next Village Board Meeting is on Thursday, April 20th, not Wednesday, April 19th, regular time.
- There was a little confusion; it will be on the normal third Thursday, 8:00 P.M.

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

- We are missing Deputy Mayor Brock. She had a little episode. We wish her well. Everything should be o.k. She is recuperating.

No one wished to speak on Agenda Items.

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

MOTION: Trustee Cohen

SECOND: Trustee Valentine

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

4. Approval of Minutes of Previous Meeting, February 16, 2017.

MOTION: Trustee Miller

SECOND: Trustee Valentine

- Trustee Cohen abstained from voting due to his absence from the February 16, 2017 Village Board Meeting.

The Board was polled and voted 3-0 to approve the Village Board Minutes of February 16, 2017.

5. Public Hearing on Tentative Budget for Fiscal Year June 1, 2017 through May 31, 2018.

Motion to Open the Public Hearing on the Tentative Budget of 2017-2018:

MOTION: Trustee Miller

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to open the Public Hearing.

Mayor Presti: If you have any questions.

- We will not be adopting the Budget tonight.
- We will be holding it over to our April 20th meeting.
- Sometimes there are some changes as a result from comments from the citizens or and between now and next month numbers we thought were firm but are not.
- Albany only permitted us to go up 1.15% which is what we did.
- We stayed at Cap.
- There was no attempt to go over the Cap.
- We were confident that staying at Cap we would be able to continue to maintain the quality services in the Village.
- In addition, we made some improvements.
- Much discussion of expanding our Building Inspector from part time to full time position with the new budget.
- Mr. Gliniecki will be here five days a week; he is here five days a week now, but it will be full time in place of part time.
- We also have budgeted for another part time Code Enforcement Official for 17-1/2 hours approved by Rockland County Personnel which we will start off with.
- Depending on the workload and training there is a good possibility we will be extending those hours as well.
- We want to get the person on board and not push Rockland County Personnel yet.
- We have one or two people in mind.
- Our hope is to have that person on Board with the new budget.
- Road improvements; things of that nature.
- We have asked the Village Engineer to look at our road priority list which he did.
- We have certain roads that might be bumped up a little bit sooner rather than later as far as paving is concerned.
- We do have monies available.
- We will be continuing our periodic paving program; not now with the nasty weather.
- In the Spring we will go out for bids and you will start seeing paving and pot holes being taken care of.
- Call into the Village if you see pot holes.
- Town of Ramapo is very, very receptive concerning the identified pot holes.

- We are fortunate with our Financial Consultant and Treasurer in watching the numbers.
- We were able to generate a surplus which is in a fiscally prudent manner as far as the Village is concerned giving us a little nest egg; extra money.
- Because of the Real Estate market being the way it is the assessed value in the Village actually went up about \$400,000.00 which means the tax rate went down a little bit.
- Your tax increase is not going to be at 1.15 at Cap (under 1%) approximately about .09% increase
- If you're paying \$700 in taxes, it will cost you about \$6.30 a year, not a month, for the year; that's .09%.
- The whole staff should be complimented because they too really watch how we spend the Village's money.
- As a reward to our staff increases will be at 2% for most of the staff.
- Our Deputy Clerk and Clerk right now is proposed in the budget at 2.5%.
- We've been lucky with the increases we have received; we have surpluses.
- We'd be able to take a hit if we have to.
- We've been pretty lucky as far as the increases we did receive.
- The garbage, we are locked into for another two years with our contract.
- There may be issues with that in the future.
- There have been some requests to increase recycling to every week as opposed to every other week.
- We are exploring what that would be.
- It has to do with quality of life.
- The budget will be approved April 20th.

Bruce Goldsmith – 2 Weiss Terrace, Chestnut Ridge, NY 10977:

- Questioned Capital Expenditures for the Justice Court.

Marvin Nyman – Financial Consultant:

- You mentioned surplus.
- Because of the economies in the present year \$151,000.00 was carried forward from the 2017 -2018 Budget to reduce the taxes.
- That was expenditures in the current year for capital expenditures in the Justice Court.
- That was paid for specifically by a grant from New York State.
- Did not cost the Village any money.

Mayor Presti:

- The grant is going to be for Improvement – desks, carpeting on the Justice side.

Resolution No. 2017- 12:

Resolution adjourning Public Hearing on Tentative Budget for fiscal year June 1, 2016 through May 31, 2017 until April 20, 2017 at 8:00 pm.

Mayor Presti:

- To be adjourned to April 20, 2017.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to approve Resolution No. 2017-12.

6. Resolution No. 2017-13.

RESOLVED that the Village Clerk is authorized to complete an agreement with B&B Pool & Spa to service the water feature at the Village Park in the amount of \$230.00.

- **Mayor Presti: No change in price from last year.**

MOTION: Trustee Grant

SECOND: Trustee Miller

The Board was polled and voted 4-0 to approve Resolution No. 2017-13.

7. Resolution No. 2017-14.

WHEREAS, Election Inspector Marion A. Clifford has indicated that she is unable to serve as an inspector on March 21, 2017.

THEREFORE BE IT RESOLVED that Ellie M. Lowery is hereby appointed to replace Marion A. Clifford as Election Inspector for the March 21, 2017 Village Election.

MOTION: Trustee Cohen

SECOND: Trustee Grant

The Board was polled and voted 4-0 to approve Resolution No. 2017-14.

8. Resolution No. 2017-15.

RESOLVED, that General Fund Claims set forth on pages 1 through 3 in the aggregate amount of \$134,118.30 as set forth on Abstract No. 2017-3 dated March 16, 2017, as submitted by the Village Treasurer, are hereby approved.

MOTION: Trustee Miller

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to adopt Resolution No. 2017-15.

9. Open Floor: Public Discussion.

William Ballinger –3 Pamela Drive, Chestnut Ridge, NY 10977:

- Had issue with trees blocking his line of sight at Midway and Pamela Drive.
- Presented pictures.
- Complained trees obscuring street signs.
- Trees are too tall.
- Going back twenty five feet from the corner in making a right turn I would be able to see the oncoming traffic.

- No problem with making a left turn.

Mayor Presti:

- We don't trim trees; we are not in the business of cutting trees.
- Usually the trees belong to the property owner to do something about it.
- If the property owner doesn't trim his trees, that's going to become a liability on his part.
- Perhaps we can call the Town of Ramapo.
- Maybe they could trim around the street signs.
- We will send our Code Enforcement out there and our Village Engineer will assess the situation to weigh in as far as line of sight.
- If he comes back and says the trees can be trimmed, we will take the next step.
- If they are on power lines, maybe we could get Orange and Rockland to trim them.
- We do not spend Village money to trim trees.
- We will do our best to follow up to make sure whoever is responsible is aware that they are responsible.
- Give Mrs. Mandel your phone number. if there are any further questions.

Trustee Cohen:

- We had this issue a number of years ago; the street signs, especially at night, blended in with the foliage.
- Cars would back up which caused a dangerous situation.
- We reported it to the Town of Ramapo, where we have a Highway Contract, and in certain situations they went out and they trimmed the foliage in the right of way so the street signs were able to be seen.
- Private property – we cannot do.

Mike Sandak – 18 Blue Jay Street, Chestnut Ridge, NY 10977.

- **Stated on every other Wednesday we have cardboard.**
- What can we do to get people to collapse the boxes so on a windy day so they are not all over everybody's yard on windy days?
- Our Code Enforcement goes out and we try to determine where it comes from.

Mayor Presti:

- We try to remind folks to do that and tell them you need to be breaking down the boxes.
- Every week pick up with regard to cardboard could solve some of that problem..

Joel Celestin – 46 Spring Hill Terrance, Chestnut Ridge, NY 10977:

- Has there been any changes in the Village regarding bulk requirements, setbacks, etc?
- Asked for explanation if changes are being made.
- Wanted to know the process.

Mayor Presti:

Zoning --

- We haven't amended our Zoning Code in any way in regard to setbacks.
- If you are applying for a variance on your property you would have to go before the Zoning Board of Appeals.
- There is a requirement that in addition to submitting the application you must notify the residents within 500 feet.
- You make a pitch for whatever you are pitching.
- The Zoning Board will then make a determination one way or the other.
- If they do get the variance the people within 500 feet have the right of appeal.
- They can then say the Zoning Board made a mistake.

Planning –

- If you're applying for a site plan, sub-division, things of that nature, you would go before the Planning Board.
- There too you would have to fill out an application.
- You would have to send out a notice to everyone within 500 feet giving everyone an opportunity to speak.
- If you feel somebody in the neighborhood did some type of construction that might have impeded on a set back or some type of zoning violation, the complaint that would come into the Village is anonymous so that it wouldn't necessarily go back to you.
- What will happen is Code Enforcement would go out and inspect.
- If there is an issue, they will cite them.
- They may have to go to Justice Court.
- It may just be a matter of applying for a permit as opposed to seeking a variance.
- It may just be someone built a deck and their deck doesn't require a variance it just requires a Building Permit.
- That is something Code Enforcement through the Building Department will follow up on.
- If you have a concern about something, call Village Hall and in a couple of days we will get back to you.
- We are not able to prevent anyone from praying in their home.
- A conditional use, a permit has to be applied for.
- If they are running a business, etc.
- If you are saying a house is not a house, in that it is a full fledged house of worship and it's not part of a home and part house of worship, then Code Enforcement would follow up on.
- A conditional use, a permit has to be applied for.
- The Building Department, the Building Inspector would determine if it is permitted or do you need to go to the ZBA for approval.

- If I see something going on Spring Hill Terrace, I'm not going to get a notice because I'm not within 500 feet.
- That does not prevent me from calling and saying there is something going on.
- The neighbors within 500 feet (the immediate neighborhood) are the ones that will have to deal with the perspective change of what's going on.
- That does not behoove you from going to a meeting, complaining and having comments.
- You are not restricted because you don't live within 500 feet.

Trustee Miller:

- It's in a radius; you can be behind it.
- The ZBA meets typically once a month on the last Tuesday of every month.
- There are exceptions, but they're rare.
- The ZBA will not hear a case unless they have proof that the notices went out.
- **Joel Celestin – 46 Spring Hill Terrace, Chestnut Ridge, NY 10977:**
- Shouldn't there be signs posted on the property.

Mayor Presti:

- There are, at least ten days before.
- Also proof that there was a publication in the newspaper.

Marc Levine: -14 Lancaster Lane, Chestnut Ridge, NY 10977:

- As far as Code Enforcement, why not have a full time Code Enforcement Office we can hold responsible?
- We've already had two part-time Code Enforcment Officers and when I went in to complain, each one said "no, it's not my job", it's his job", why not have one full time person responsible?

Mayor Presti:

- That was a thought.
- I can't speak with 100% knowledge because that was before I was Mayor, but I was around; I was on the Planning Board and I was also a Trustee.
- The problem was there was no coordination amongst those two individuals.
- There is coordination now because we have a Building Inspector.
- In addition, we would have to establish a full-time position for the job.
- Then there is also other financial obligations as far as health benefits, as far as pension benefits are concerned and then a \$65,000 hourly full –time job becomes \$110,000.00 full time job; I'm making the numbers up a little bit.
- From a fiscal, prudent standpoint, that may be a little bit more for the Village to have to take on.

- However, at the same time with the twenty five hours that we have the current Code Enforcer Official have working, and the additional seventeen and one half for the new person, and possibly ramping that up another eight to another twenty five hours, we are just short one hour a week because technically it's a thirty hour full-time position a week.
- I am not too worried we are not going to have enough boot on the ground as far as a second person is concerned.

Marc Levine:

- I just found in the past, it didn't work.

Mayor Presti:

- Point well taken.
- Don't forget to vote on Tuesday, March 21, 2017.

Motion to Close the Open Floor Public Portion of the Meeting:

MOTION: Trustee Miller

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Close the Public Portion of the Meeting.

Motion to Adjourn meeting and go into Executive Session to discuss litigation with regard to 681 Chestnut Ridge Rd.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to go into Executive Session.

MEETING ADJOURNED: 8:38 P.M.

EXECUTIVE SESSION ADJOURNED: 9:20 P.M.

Respectfully submitted:

**Florence A. Mandel
Village Clerk**

- **Question: Off the record.**

You have said at the Coupon meeting you were going to speak to the Police about the cars parked overnight. Sam, "YES".

That big yellow house, halfway on the lawn, halfway on the street, got partially buried by the snow. SUV He had to dig himself out and he is in the street.

Give Florence your number: