

MINUTES OF THE BOARD OF TRUSTEES

VILLAGE OF CHESTNUT RIDGE

JUNE 21, 2018

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on June 21, 2018 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

JOAN BROCK - DEPUTY MAYOR BROCK

HOWARD COHEN - TRUSTEE

GRANT VALENTINE - TRUSTEE

ABSENT: - TRUSTEE

RICHARD MILLER

ABSENT:

WALTER SEVASTIAN - VILLAGE ATTORNEY

PRESENT:

FLORENCE A. MANDEL - RECORDING SECRETARY

1. Pledge of Allegiance.

2. Mayor's report.

- **Held moment of silence for Architectural Review Board Deputy Chair, Member, Laura Dunlop.**
- **We extend our sympathies to Laura Dunlop's family. Her kindness and sincerity was greatly appreciated.**
- **Faist Annual Ambulance Dinner -3rd of this month, changing of the Chief within the organization– was honored to be invited there.**
- **Had Sunday with the Mayor on the 3rd. Thanked people who came out.**
- **No Sunday with the Mayor in July and August; September can use picnic to talk to Mayor.**
- **Will start again in October, Sunday with the Mayor.**
- **Had interviews for Code Enforcement position.**
- **We had a number of excellent candidates and we are thinking about hiring one Full-Time and one Part-Time Code Enforcement officers.**
- **One gentleman has background in corrections and went on to get Certification of Home Inspections.**
- **The other gentleman went on his own for Code Enforcement Certification; we do not have to send him for Code Classes Certification.**

3. Open Floor: Public discussion of Agenda Items.

No one from the public wished to speak.

MOTION: Trustee Cohen

SECOND: Trustee Grant

The Board was polled and voted 5-0 to Close the Public Discussion on Agenda Items.

4. Approval of Minutes of Previous Meeting, May 17, 2018.

MOTION: Deputy Mayor Brock

SECOND: Trustee Valentine

The Board was polled and voted 5-0 to Approve the Village Board Minutes of May 17, 2018

5. Resolution No. 2018-56 - Resolution to appoint Michael J. Scharff as Deputy Chair of the Architectural Review Board for a term to expire April 2019.

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock

The Board was polled and voted 5-0 to appoint Michael J. Scharff as Deputy Chair of the Architectural Review Board for a term to expire April, 2019.

6. Resolution No. 2018-57 - Resolution to appoint Benjamin Jakubowicz as a Member of the Architectural Review Board for a term to expire April 2021.

- Benjamin will be replacing the seat of Laura Dunlop. We welcome him.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 5-0 to appoint Benjamin Jakubowicz as a Member of the Architectural Review Board for a term to expire April, 2021.

7. Resolution No. 2018-58

WHEREAS, The Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Chestnut Ridge has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Chestnut Ridge has reviewed the Plan and affirms that sections pertaining to the Village will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED that the Village of Chestnut Ridge adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

MOTION: Trustee Valentine

SECOND: Deputy Mayor Brock

The Board was polled and voted 5-0 to adopt the Rockland County Multi-Jurisdictional Hazard Mitigation Plan

8. Resolution No. 2018-59 approving Abstract of Audited Claims.

RESOLVED, that **General Fund Claims** set forth on pages **1 through 4** in the aggregate amount of \$104,649.39 as set forth on **Abstract No. 2018-6** dated **June 21, 2018** as submitted by the Village Treasurer, are hereby approved.

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

The Board was polled and voted 5-0 to Approve the Abstract of Audited Claims.

9. Open Floor: Public Discussion.

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

- **Complained about 312 N. Highland – same problems continuing there, thought it was getting worse; parking of cars, services, people walking back and forth, etc.**
- **Stated everyone in the neighborhood being made to suffer from this.**
- **Sign put up saying on June 23rd, there was going to be a Bar Mitzvah Shabbos taking place at this shul that is illegally occupied; it's not a real Bar Mitzvah, it is a thirteen-year celebration of the Rockland Eruv.**
- **Stated that this qualifies as a Special Event.**

- Stated probably be Chaverim there to manage the traffic.
- They have no authority to direct any traffic.
- Special Event is defined as social festivals, celebrations or parties; street fairs, carnivals; circuses; fund-raising events; and road races (pedestrian or vehicular), which events take place on public property, or on private property open to the public, and which cause the Village to expend municipal resources to monitor same in order to protect the public health, safety or welfare.
- I've asked this to be looked into and haven't got a response.

Mayor Presti:

- Matter has been forwarded to the Village Attorney.
- Village Attorney has been in contact with Building Inspector and Code Enforcement Officer as to what the procedures are; if this qualifies as a Special Event.
- The Village Attorney will proceed accordingly if need a violation according to the remedies available in the village.
- It is now a new owner. The previous owner had a Stop Work Order.
- That had to do with Building Permits and things of that nature.
- It had nothing to do with use.
- We are aware, and we are going to follow the law as is out there.
- Ramapo Police have assured me if there is a event that would affect the public, they will respond as they ordinarily do to make sure the area is clean, safe.
- There is a process.
- While everyone would like to see things resolved sooner than later, things sometimes take long

Richard Cunningham –10 Appledale Lane, Chestnut Ridge, New York 109077.

- Thanked Mayor for getting lawns mowed.
- Complained about 45 Grotke Rd., Chestnut Ridge, New York 10977, the burned-out house.
- Left hole in the ground where cellar was; hazardous.

Frank Magaletta – 9 Brookview Blvd., Chestnut Ridge, New York 10977:

- Heard rumor that 2 Samuel Rd. was going to be a school.

Mayor Presti:

- It's not going to be a school. It's a house under renovation.

Jonathan Corbin – 6 Aberdeen Rd , Chestnut Ridge, New York 10977:

- Complained about the horrible traffic by 312N. Highland Blvd., Chestnut Ridge, NY 10977: twenty to twenty-five cars.
- Half dozen cars on property; 8:00 pm at night intersection becomes clogged.

Mayor Presti:

- Building codes and Fire codes are supposed to be in compliance.
- If you are witness to traffic jams and safety jams with regard to the public roadway, especially 8:00 pm, 9:00 pm., you need to call the Ramapo Police Department.
- Then we also have a record.

Deana Corbin – 6 Aberdeen Avenue, Chestnut Ridge, NY 10977:

- The previous owner didn't have a CO.
- The new owner doesn't have a CO.
- Wanted to know why the Village allows them to operate?
- There should be a consequence if they are not following the rules.
- Didn't understand why it takes months and months.
- 3 Perth Avenue; there is a new owner Robert Adler. He doesn't live there.
- He's there two nights and then not there so we really cannot approach them.
- The pool they were using overflowed; they forgot to turn the water off.
- The entire pool flowed into our backyard.
- They had a pool cover that collected water for the last month in a half.
- When it rains, there are mosquitos all over the place.
- They seem to have a connection to N. Highland; women and children walk from that house to N. Highland.

Mayor Presti:

- With regard to process and procedure there are procedures.
- You are talking about a Quasi environment such as this, there are procedures.
- You're talking about a arbitration in education.
- They say the wheels of Justice grind ever so slowly and ever so fine.
- We will follow the procedure that is dictated to us by the Constitution of the United States and the State of New York.
- A lot of what you are talking about is an issue with a neighbor; you have certain rights and remedies; you should seek Counsel.
- If you are saying there is some issues with mosquitos, that we can look into that because the County has an office.
- We will follow up on the Health issue and that's not a problem; County Health will look into it.
- You do not have to wait to let us know or you can call the Rockland County Board of Health and log that complaint.

Deana Corbin – 6 Aberdeen Avenue, Chestnut Ridge, New York 10977:0

- Didn't want to be a bad neighbor and just jump into the situation.
- Wanted to give them a chance to chlorinate the pool.

Mayor Presti:

- Now what is the remedy; what is the procedure to follow.
- This is the first time I was told of a mosquito issue tonight.

Deputy Mayor Brock:

- Pick up the phone; call the County Board of Health.
- They will come out right away.

Pamela Jennings – 8 Samuel Rd., Chestnut Ridge, New York 10977:

- 2 Samuel Rd., and 10 Lillian Drive were both modest homes in our neighborhood.
- They were completely knocked down.

- What was built is not in keeping with all the other homes.
- They are both constructed without two car garages, which she felt was against Zoning Law.
- Thought the Building Inspector and Code Enforcer looked the other way.
- Again, brought up a Moratorium and suggested we hire a new Building Inspector.

Mayor Presti:

- You made some pretty heavy accusations with regard to employees in the Village which I take issue with.
- We will look into your complaints.
- The fact that individuals may be building a home bigger than was there, is not against the law.
- There are certain bulk requirements that they are allowed to follow.
- Because the house was smaller in nature before, does not mean it has to stay that way in the future.
- Anyone here is allowed to build a home that complies with the size and zone which it is in.
- We will not enforce something that is permitted to happen.
- We will look into illegal issues.
- The Building Inspector and Code Enforcement are honorable people.
- I will not allow you or anyone else to besmirch their reputations.
- They are doing their job for the Village.
- No one is entitled to liable and defame someone like that.
- If you have pure facts, I'm all ears because then we will call in the proper authorities.
- I am going to stand up for my staff because I see what they do and how hard they work.
- We will look into 2 Samuel and 10 Lillian to make sure.
- We've already addressed a Moratorium.
- Neighboring Villages are in trouble for it and I am not looking to get this Village into a situation
- We have a professional Planner and Village Attorney who guides us.
- People are over using a Moratorium, it is not appropriate for the Village.

Timothy Buckley–7 Brookview Blvd., Chestnut Ridge, New York 10977:

- I live across the street from 2 Samuel Drive-
- It is a unique property; what concerned him is people are eluding maybe it is a school associated with that building.
- We lost a battle with Samuel Rd. about five or six years ago.
- Samuel Rd. closure – road turned into a race track.
- Has three children who cannot ride their bikes on the street; it is a blind spot because it is too dangerous.
- People are going down that road well over the speed limit.
- If there is a gathering of people to learn something, technically it becomes a school.
- Was concerned with Brookview Avenue and the noise level.

Mayor Presti:

- You cannot have a conventional school without ten acres; like Chestnut Ridge Middle School.
- If someone is permitted to have a House of Worship; the use for the House of Worship will depend upon what the Building Code is.

Deputy Mayor Brock:

- If I found children on the property running around that is a different ball game then somebody in a room learning something specific.
- Our Code Enforcers would take that very seriously.

Trustee Valentine:

- I live on Balmoral Drive and walk every day.
- If there is a question or concerns, neighbors don't hesitate.
- I bring those concerns to the Board.
- We cannot be everywhere; your eyes, your ears would be helpful to us.
- We live here just like you do and have the same concerns you have.

Mayor Presti:

- We will have our Code Enforcement look into that.
- When it comes to traffic control and things of that nature, you have to call the Ramapo Police.
- We are a Village of 8,300 people.
- We all want the same thing for the Village.

Deana Corbin -6 Aberdeen Avenue, Chestnut Ridge, NY 10977:

- Have the Codes changed in regard to monies being exchanged; you are not supposed to use your house for a business.
- Claimed years ago she wanted to set up a home business and she wasn't allowed to.

Deputy Mayor Brock:

- You can have a home business.
- You have to go through the process.

Norman Cohen – 11 Aberdeen Avenue, Chestnut Ridge, NY 10977:

- Felt the Village going through an unbelievable transformation.
- All people of all religions should be treated equal.
- He felt there was a wavering of the Constitution.
- Was concerned about the tax ratables.

Mayor Presti:

- So long as you follow certain perimeters in the law you are entitled to a tax ratables.
- The Village has no say to the degree that if you are a legitimate organization. that is entitled to a tax abutment or ratable you will get it.
- The State of New York says you can have it; it is a concern for everyone.
- With regard to the Constitution that is your opinion that you feel we are bias.
- We've seen the Constitution, part of it, published throughout the Village recently;

- Congress shall make no law establishing a religion; or prohibiting the free exercise thereof (that second part was omitted).
- In this Village we follow the Constitution.

Jerry Liebelson – 31 Midway Drive, Chestnut Ridge, NY 109077:

- Going back to 2 Samuel Rd., pre-existing, non-conforming
- That word is no where to be found in the Zoning law.
- Submitted pictures of 2 Samuel and 10 Lillian before and after pictures.
- I stated what the law is for a 2 -car garage in an R-25 zone.
- 2 Samuel was original a 2- car garage converted to a living space.
- 2 Samuel was demolished down to foundation and constructed anew.
- The new construction was not required as part of a Court order.
- 10 Lillian had its original single car garage.
- Also demolished down to its foundation and constructed anew.
- Not part of a Court order.
- Both these properties therefore were non-conforming with respect to the general use requirements.
- The new construction of 2 Samuel Rd., 10 Lillian were approved by the Building Inspector.
- **READ INTO RECORD:**

The new construction at 2 Samuel Road and 10 Lillian Drive in Chestnut Ridge, NY was approved by the building inspector in clear violation of village code (Articles XIII Section 3A) because the previous non-conforming dwellings underwent significant extension, alteration and enlargement without being adapted to conforming use by having a 2-car garage, as required by General Use Requirements (R-25 District Column F. #13 1-family residence).

These 2 errors are new additions to a growing list of situations where the building inspector has improperly approved major construction on his own discretion without referring plans to a village board. While I welcome the board's recent action in having the village engineering consultant co-review all plans and permit applications, I ask you to make this procedure more formal and permanent in some fashion, by either requiring all plans and permit applications be signed with his approval or having him write and file a memo indicating he reviewed and approved the documents.

- A related two-car garage issue – 26 Pascack Rd., 1 Karow Ct. have been converted to full-time use as religious places of worship.
- Taken by Ramapo Town Appraiser during inspection in April, 2017.
- Fire incident taken by Fire Dept. pictures taken in March, 2018.
- These are not regular garage merely being used now and then for meetings; s; they have been taken back as activity space for other purposes all the time.
- Changes made in the recent past; well after 2006.
- These properties should now be out of compliance.
- Homeowners should be required to either construct a replacement two-car garage or return their garage back to original use.

- Wanted to know why this is any different from the new garage built at 3 Spring Hill Terrace being used as a mitvah when its single garage was taken back and used as a mitvah.
- 3 Perth Avenue – pool overflowing is due to the use of 3 Perth St.
- Shabbos house which is being used free license who are illegally using the lower floor which does not have a Certificate of Occupancy; it has a Stop Work Order, illegal construction with a permit.
- It was at their risk it was established.
- Felt there is a change of consequences here because of the lack of governing by the Mayor and Board of Trustees.
- This Village has no Comprehensive Plan.

Deana Corbin – 11 Aberdeen Avenue, Chestnut Ridge, NY 10977:

- Stated people in neighborhood not happy with the changes in the quality of life that they enjoyed for so many years.
- There is a documentary being made by a film maker at 312 N. Highland Avenue.
- They said the media has been silent about addressing these problems but it has become so huge they will go to main stream media.
- Do we want this kind of attention?
- Can't we come to some kind of resolution between the people who live here and want a certain quality of life and the people who want to live here and exercise their freedom also?
- Can't we govern our own place.
- We have a right to religion or no religion.

Mayor Presti:

- We can govern our own place.
- We have a problem with people or certain individuals who feel as though things aren't being done fast enough or they don't agree with the process being followed.
- Keep an eye out for main street media on June 25th when the Attorney General of the United States comes to Newark, NJ and talks about what's going to be next on the agenda with the Department of Justice regarding Freedom of Religion.
- Then we will talk about what main street media is going to be doing.

Norman Cohen:

- When there is a major population change in one direction there follows a massive move of residents out of the Community.
- Individuals of one particular group will only be buying the houses.
- Felt Chestnut Ridge would be a totally Conservative and Orthodox Community.

Mayor Presti:

- I live in a beautiful neighborhood.
- I am happy with my neighborhood and I am happy with my neighbors.

Motion 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.

Motion to Adjourn the Meeting and Go Into Executive Session.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

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

Respectfully submitted:

Florence A. Mandel

Village Clerk

MEETING ADJOURNED: 9:11 P.M.

EXECUTIVE SESSION ADJOURNED: 9:33 P.M.

Resolutions

1. a. Mayor appoints Michael J. Scharff as Deputy Chair of the Architectural Review Board for a term to expire April 2019.

- b. **Resolution No. 2018-56:**

RESOLVED, that the Mayor's appointment of Michael J. Scharff as Deputy Chairperson of Architectural Review Board for a term to expire April 2019 is hereby approved.

2. a. Mayor appoints Benjamin Jakubowicz as a Member of the Architectural Review Board for a term to expire April 2021.

- b. **Resolution No. 2018-57:**

RESOLVED, that the Mayor's appointment of Benjamin Jakubowicz as a Member of the Architectural Review Board for a term to expire April 2021 is hereby approved.

3. **Resolution No. 2018-58:**

WHEREAS, The Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning; and

WHEREAS, DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous Mitigation Planning section and emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts; and

WHEREAS, the Village of Chestnut Ridge, in partnership with the County of Rockland and with the assistance of Tetra-Tech Corporation, has gathered information and prepared the Rockland County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, The Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Chestnut Ridge has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Village of Chestnut Ridge has reviewed the Plan and affirms that sections pertaining to the Town will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED that the Village of Chestnut Ridge adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

4. Resolution No. 2018-59:

RESOLVED, that General Fund Claims set forth on pages 1 through ___ in the aggregate amount of \$_____ as set forth on Abstract No. 2018-6 dated _____, as submitted by the Village Treasurer, are hereby approved.