

**MINUTES OF THE BOARD OF TRUSTEES
VILLAGE OF CHESTNUT RIDGE
AUGUST 16, 2018**

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on August 16, 2018 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR.	-	MAYOR
JOAN BROCK	-	DEPUTY MAYOR
HOWARD COHEN	-	TRUSTEE
GRANT VALENTINE	-	TRUSTEE

ABSENT:

RICHARD MILLER		TRUSTEE
WALTER SEVASTIAN	-	VILLAGE ATTORNEY

PRESENT:

FLORENCE A. MANDEL	-	VILLAGE CLERK
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1. Pledge of Allegiance.

2. Mayor report.

We did have from last week two follows up:

1 Karow Ct.

- **There have been no changes.**
- **Keeping on the radar with regard to the Stop Work Order and the issue of dealing with the fill that needs to be removed.**

26 Pascack Rd.

- **Property posted back in June for the conversion of the garage.**
- **The garages have been converted back.**
- **Construction of a mikvah has continued.**
- **The Building Inspector has been out to inspect to make sure compliance is being followed.**

- **I did not have Sunday with the Mayor this Sunday as part of our summer respite.**

- **I want to remind everyone the Village Picnic will be on Sunday, September 16th rain or shine.**
- **We will be adding an extra attraction for the children; another bouncy feature.**
- **We are going to have a Food Truck and are working on an ice-cream truck. Hopefully, that will also be forthcoming.**

- **We are in the process of hiring an additional staff member to our Code Enforcement staff; Costantino Blasioli, known as Tino. Unfortunately, because he did not have the two-year experience County Personnel requires for the full -time position, we were able to get him for Part-Time; things seem to be moving along nicely.**

- **We are looking to fill another Full -Time position; we are still in the midst of breaking down the title, either Deputy Building Inspector or Assistant Building Inspector. It will be a Full-Time position. It will be supplementing a lot of the duties of the Building Inspector so we can recast a lot of the responsibilities of the Building Inspector. We will keep you posted in regard to that.**

- **It is with regret that we are going to be accepting the resignation of our Deputy Mayor Joan Brock. Joan will be staying with us until the end of the month.**

- **If the Trustees would like to say a few words this would be a good time.**

- **Trustee Cohen:**
Joan and I met in 1984 when a committee was being formed in Chestnut. Ridge. At that time, I realized what a dynamo she was in getting signatures; when she had real

health and vitality; vitality has never left her. But, her physical condition has progressed to a point that all of her duties here have been a real struggle; to get to the meetings, to perform her duties has been a real struggle and she struggled through it all. It is amazing; her vitality, her intellect has had immense value to the Village for all these years. I am certainly going to miss you and we wish there wasn't an end, but since there is, and I'm sure we are going to see a lot of you anyway.

Trustee Grant:

Joan, I tried to convince Joan to stay on and she told me "No", emphatically; that's how Joan is.

It's been a privilege and honor to serve with you on this Board.

You taught me a lot, we've learned; I learned a lot.

The dignity of your character, you always held yourself in the highest esteem regardless of the situation.

Not only wise with words, but wise with deeds.

You've been tremendous.

I'm just a phone call whenever you need.

Mayor Presti:

It's hard to put into words the concern Joan has had for this Village. Joan has always had the Village as a priority even with dealing with all her challenges. It's always hard to say Good Bye to someone who we can say has been a founding member to a large extent to the Village. However, we have the ability or the solace to know Joan is still around. She is going to be watching closely. We will always be in her debt for all that she sacrificed to do what she has for so long; beginning with the Planning Board right up here to the Board of Trustees.

On that note we have just a little token of our appreciation in addition to the goodies back there.

This is presented to Joan Brock

In Recognition Of Her Many Years Of Service To the Village Of Chestnut Ridge; First, As Deputy Chairman & Member Of The Planning Board, And Then As Deputy Mayor Of The Village Board. Her Insight And Dedication Will Be Sorely Missed and it's from us all: Trustee Cohen, Trustee Grant Valentine, Rich Miller who sends his regards and his best wishes, and also the Village Attorney who says the same thing, dated August, 2018 for Joan Brock.

Deputy Mayor Brock:

Members of Dexter Park, The Birds, Civic Association and other members decided that we wanted to be a Village. Why did we want to be Village? Many of you don't know. We didn't like what Ramapo was putting in our area. We wanted to be a Village because we were in the unincorporated part of Ramapo. We were thinking a lot of what Ramapo was putting in the Village. We had forty percent of the vacant land in the whole Town of Ramapo at that time; what is now the Village of Chestnut Ridge. What they put in was a sandpaper factory on the corner of Route. 45 and Scotland Rd. and also put a Best Western Motel on Red Schoolhouse Rd. We were

lucky the Best Western became an Assisted Living. But just out of luck; not because the Town did anything to make it better and so we became a Village. For thirty-three years of have worked for this Village. I have decided that at this point of my life, my brain works fine, it's the hands and the feet that don't work. It's time to go; it really is. I am certainly always going to be available for everybody especially on the Board. I am certainly willing to give you my insight for certain things.

I'd like to thank the office staff; they have been tremendous to me; there have been times when I have been literally stuck at the bottom of my driveway on the ice. They sent Bruce, he lifted me up, literally lifted me.

Florence has helped; there have been times she has had to pick me up.

I've been at the mercy of many of the people on the Board in order to get me places. It's impossible for me at this point to drive; I haven't driven in the last five years. I'd also like to thank all the members of the Board I have worked with all these years. They have shown dedication that is unbelievable. Trying to work for the good of Village; not the good of themselves, but the good of the Village. That doesn't always mean that what you decide is good for you. Often times, what's good for you is not good for the Village. I'd like to thank all the members of the Board. They have been tremendous. They have worked very hard. They are in an unattainable position. They have to try and balance all of the desires of all of the people of this Village and that's not easy. It always puts you at odds with somebody. Sometimes they say if nobody's happy then you're doing a good job. Because if nobody's happy you're trying to comprise. You have to work to comprise. And they will continue to do that. Seven times I've been elected and seven times I've always tried to show you I care about the Village.

Mayor Presti:

Thank you, Joan, thank you.

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

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

- Concerning the Resignation of Joan Brock – I cannot add to what people say, but stated to Joan that she definitely impressed him; trooper was hardly the word to describe her.
- Obvious questions going forward – Do you intend to appoint a placement to Joan as Trustee between now and the March election?

Mayor Presti:

- Yes.
- The Deputy Mayor position is a Mayor's appointment.
- It has nothing to do with being a Trustee.
- It is actually a two-step process.
- The remaining Board of Trustees will be thinking about a replacement for Joan; that would be the Trustee.
- Then I would appoint a Deputy Mayor based on the remaining Trustee numbers.

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

- Is it possible the new person you would appoint as Trustee could end up being the Deputy Mayor?

Mayor Presti:

- Conceivably, yes.

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

- Do you have more than one person to bring to the Board’s attention to consider?

Mayor Presti:

- A Trustee has usually been brought up from one of Boards because the presumption is having sat on the ARB, Planning Board or Zoning Board you would have had exposure to the operations of the Village; some knowledge of how things go with regard to the Village.
- That’s how I got here; that’s how Grant got here, how Joan got here and Howie got here.
- You could consider it a right of Passage; you served some time on one or two of the other Board’s and you’ve been asked to come as a Trustee.
- Then the person filling that spot would be up for election in March together with Grant for a full four-year term.

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

- You don’t expect someone would be appointed from outside unless no one wanted it.

Mayor Presti:

Correct.

Close the Public portion on Agenda Items only:

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

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

4. **Approval of Minutes of Previous Meeting of August 16, 2018.**

MOTION: Trustee Valentine

SECOND: Trustee Cohen

The Board was polled and voted 4-0 to Approve the Minutes of the Previous Meeting of July 19, 2018.

5. **Resolution No. 2018-65:**

RESOLVED, that the Village Board accepts the resignation of Deputy Mayor Brock, effective August 31, 2018.

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to accept the resignation of Deputy Mayor Brock.

Resolution No. 2018-66:

RESOLVED that the Village Board approves the Mayor’s appointment of Constatino Blasioli to the position of Code Enforcement Officer I, part-time, 17 hours per week.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Brock

The Board was polled and voted 4-0 to approve the appointment of **Constatino Blasioli** to the position of **Code Enforcement Officer I, part-time, 17 hours per week.**

7. Resolution No. 2018-67

RESOLVED that the Mayor is authorized to execute the Rockland County Community Development Consortium amended Cooperation Agreement.

MOTION: Trustee Valentine

SECOND: Trustee Cohen

The Board was polled and voted 4-0 to authorize the Mayor to execute the Rockland County Community Development Consortium amended Cooperation Agreement.

8. Resolution No. 2018-68:

Resolution to authorize the Mayor to execute the Longabucco Court and Wanamaker Lane dedication documents subject to the approval of from by the Assistant Village Attorney.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Brock

The Board was polled and **voted 4-0** to execute the Longabucco Court and Wanamaker Lane dedication documents.

9.Resolution No. 2018-69:

RESOLVED that the Village of Chestnut Ridge Fee Schedule is hereby amended to provide that the Recreational Fee be assessed as \$5,000 “per dwelling unit” basis (from the current “per lot” fee).

Mayor Presti:

- **It had to do with various developments going on in the Village.**
- **It’s a little bit of a revenue for the Village.**
- **It’s a fairer way of allocating the expenses submitted.**
- **This came from the recommendation of the Planner to adjust the Fee Schedule.**

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and **voted 4-0** to approve Resolution No. 2018-69.

10. Resolution No. 2018-70 approving Abstract of Audited Claims.

RESOLVED, that General Fund Claims set forth on pages 1 through 4 in the aggregate amount of \$154,874.79 as set forth on Abstract No. 2018-8 dated August 16, 2018, as submitted by the Village Treasurer, are hereby approved.

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

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

11. Open Floor: Public Discussion on Agenda.

Dupuy Magali – 49 Spring Hill Terrace, Chestnut Ridge, New York 10977:

- Wanted to know what Resolution No. 7 - and Resolution No. 8. are.

Mayor Presti:

- **No. 8** - When there is development in the Village and eventually the developers put in the roadways it is still considered to be maintained by the developer and/or the residents.
- As developments come in the Village the Village Engineer has to make sure that everything has been finalized.
- My presumption is, I believe, the Village Engineer has been going through and trying to wrap up some loose ends.
- Both Longabucco and Wanamaker have been done for some time.
- When the roads have been determined that it meets certain standards and has been paved and is constructed with current Building codes, then what happens is that we assume responsibility.

- **No. 7** - With regard to Rockland County Community Development Consortium we belong to all of a group that basically falls under the umbrella of the County in so far as funding for Community Development; different Grants, and things of that nature.
- If there are projects, if there is certain funding that's available that the Village sometimes had to go it alone.
- You could rely on the County as a shepherd, the gatekeeper.
- It's something that all the Villages do,
- It's pretty much a housekeeping item and it's beneficial to all of us, and again, to be able to share services and be part of a group.

Deputy Mayor Brock:

- We didn't have a handicapped bathroom in the Building next door.
- In order to comply with code, we needed a handicapped bathroom.
- We got the Community Development and they paid to put in the handicapped bathroom, the rails, things like that.

Dupuy Magali – 49 Spring Hill Terrace, Chestnut Ridge, New York 10977:

- Asked whether the Community development Constorium will be affected with the Shared services coming from the State.

Mayor Presti:

- Actually, no – it's still there, not affected one way or the other, it's sort of separate.

Mayor Presti:

- It's not affected one way or the other.

Trustee Cohen:

- It's basically Federal money for improvements on things that affect the social benefits.
- The income of Chestnut Ridge. is fairly high, we don't qualify for those programs.
- Spring Valley, and some other areas of Rockland do; certain areas do and they are the ones who get the funds for a lot of the social benefits.
- The walkway here, the two bathrooms in this building have also been approved under those funds.

Mayor Presti:

- There are instances where we can comply, but for the most part our income parameters are too high to get the benefits, but it never hurts to belong to the group just in case.

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

- Behind me is Pine Knoll Ct. where there was a fire and the building burned down; nasty weeds, short top for a swimming pool cover; mosquitos, starting to collect.
- I called the Health Department but I wanted to bring it to your attention.
- Gentleman had someone there today.
- Weed whacking is not going to correct how ugly it looks back there.
- The water that collects in the pool; asked the Village's assistance to make sure that it is not a collection for the mosquitos that are bearing all kinds of good stuff.

Mayor Presti:

- Tom did contact the owner and the Property Agent and he has it on their radar; however, getting the Health Department with regard to the mosquitos can never hurt either.

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

- **27 Eldorado** - the Wilder's called me this morning, part of the property is under construction, a roof or a patio and the water doesn't drain off this particular area and the water is collecting there.
- They did call the Health Department.
- The issue of trash cans and what she sees.
- If the rules are what the rules are then blacktopping to leave trash cans there is wrong.
- Complained people not taking their trash cans in; will just leave it there on the pad.
- Right next to Spring Hill Terrace is wrong.
- Made a note for Tom and 14 Tice Court has eleven trash cans at the end of his driveway.

Mayor Presti:

- Have a note from Tom; cans will be removed.
- Homeowner thought it was o.k.

Carol Jacobs – 55 Spring Hill Terrace, Chestnut Ridge, New York 10977:

- 2 Spring Hill Terrace has their garbage pails out; garbage was next to the cans, not in the cans.
- Thinks this is an issue of lack of enforcement.

Mayor Presti:

- I have a picture, has no garbage.

Carol Jacobs – 55 Spring Hill Terrace, Chestnut Ridge, New York 10977:

- Claimed garbage was collected in the morning at 2 Spring Hill Terrace and new garbage was already left out there again.
- Wanted to know a little about Constatino Blasioli.

Mayor Presti:

- He was a Correction official for a little less than ten years.
- He worked for a company that put in Smart Meters.
- For the last two years he's had his own business doing home inspections.
- He went off on his own and got his Certification as a Home Inspector Certified in New York and New Jersey.
- He has experience with regard to local codes, zoning.
- Our hope is after getting at least another eight more months of experience under his belt, we can bump him up to Full Time.
- He will be taking the courses for Code Enforcement I.
- He will also probably be taking the Civil Service Test once it is offered.
- We initially hired him to be Full-Time and County Personnel felt he didn't have a certain amount of uninterrupted experience.

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

- Complained the cardboard pick-up protocol is totally broken.
- Claimed the IWS people are not enforcing it to pick up.
- Thought because of the new regime of having the cardboard in the morning and the cans afterward, what happens is the people miss the cardboard pick-up and they have their cardboard out there it ends up being picked up on Thursday as part of their regular garbage the next day.
- Thirty-eight Wilshire was a mass of boxes and garbage.
- Why can't the IWS people be told not to pick it up?

Mayor Presti:

- Unfortunately, there is not 100% compliance regarding that.
- We've gone a long way considering when cardboard was every other week.
- The garbage contractor, as I understood it, while they should hold off regarding the cardboard didn't want to leave it there for another week.
- In the past, they'd leave a note for the owner telling them cardboard recycling is on Thursday.
- We continue to remind people, and when we get a complaint about people doing that we send out a Code Enforcer to remind them.
- But I cannot sit here and guarantee you by next week everyone will be in compliance.
- We will stay on it and as people violate we will talk to them about it and remind IWS what their responsibilities are.
- Obviously, we are losing out when it is picked up with the regular garbage.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- Wanted to comment in regard to the Proposal for the Zoning Law for Houses of Worship.
- It was stated the public was allowed to speak, there would be no discussion, there would be no response, the Board was just there to listen
- There were times after the public spoke there were responses to what the people had to say and those people didn't have a chance for a rebuttal.
- Some of the questions were answered and some weren't answered.
- Asked at several Village Board Meetings and also asked at the Public Hearing was why it that only one organization that represented one particular group was included in the discussion with regards to the proposal?

Mayor Presti:

- As explained previously the OJC, representing their group were offering up a need from their community
- Laws have to start somewhere.
- They advocated for their community and we considered what they were speaking about.
- Based upon that advocacy and the fact that they are not the only community that worships in the Village, and that community worship is just community worship and it applies to every religion.
- In accordance with the law it was published; was made so that everyone and anyone can speak.
- So, from February to July any and all organizations, religions and groups had an opportunity to speak on it.
- Did one particular group perhaps advocate initially; I would say that's a safe assumption; but no one was excluded, everyone was included
- Everyone who wanted to make a comment was able to.
- The Foster Church on Pascack Rd. submitted their comments.
- The Assembly of God Church, The Mosque did not submit any comments but they were made aware.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- A religious group asked you to consider Zoning laws in advocacy for their particular community.
- When the proposal was drawn up, the response I remember receiving is, "this is not for one particular religion, it's for all religions".
- Why wasn't more than one religion represented when the proposal was being decided?

Mayor Presti:

- Are you asking me after the OJC came, why we didn't go to the Foster Church and say, "by the way, the OJC is proposing this, what's your feeling?"
- By the way, Minister, the OJC is proposing this; what's your feeling?
- Is that what you are asking?

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- If the Board felt that it was necessary to take a relook at the Zoning Laws as it pertains to Houses of Worship why is it that they didn't then ask more than one religion to come as a focus group discussion, part of a sub-committee to have that discussion with regards to developing Zoning laws for all Houses of Worship?

Mayor Presti:

- I follow you.
- You are wondering why we went right to the law and we didn't have workshops; we didn't have break out groups, with other religious organizations.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- No need to re-word the question.
- Thought everyone in the room, as well as everyone who was at the public hearing, the 750 plus people would like to have an answer to my question.

Mayor Presti:

- I answered the questions, I'm sorry you don't like the answer.

Trustee Cohen:

- Once we put the words down as a proposed law, we advertised it, we sent it out to neighboring Villages, all the County agencies and it becomes open to the public to respond; it is still open for the public to respond.
- The Mayor said, we got a response from the Foster Church and when we re-draft and take into consideration all the comments that are made we will make changes; and it's still open to the public.
- So, if any other religion or any organization has comments to make there is plenty of time to submit comments through writing, through public speaking like you are doing and any other way, it is still an Open book.
- Once we review all the comments we will put it out again with certain changes that will capsule a lot of comments that were made.
- If people have comments to make, now is the time, it's still an Open book
- We are waiting for the comments from everyone.

Sabrina Martin 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- I respect your answer; it's similar to what the Mayor said, but it's not answering the question.
- The question again is, I understand that the religious organization came and said we need to look at the zoning laws for Houses of Worship and I would like to advocate for my community.
- That's fine; if you want to advocate for one religious' community.
- What we are hearing, is we are creating this proposal that would include all houses of worship. So, if that was the intent, however, you choose to move forward, at least the integrity behind that comment would include or try to include behavior such as; let's try to pick two or three other religious groups that are represented in Chestnut Ridge and have them included in the discussion that leads to the creation of this proposal. That's the

behavior that would support any integrity in regards to the statement that this proposal represents all of us.

Deputy Mayor Brock

- That's why you don't create a law, pass a law, discuss a law until everybody has words to say about.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- Why were not other religious groups at the table?

Deputy Mayor Brock:

- Because they didn't ask to come.

Mayor Presti:

- We've tried to answer your question.
- Obviously, you're not happy with the answers we're giving you.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- I have no emotional attachment to this.

Trustee Grant:

- There was a group that was asked to attend this because of the Health, Safety and Welfare; because they walk to their particular place of worship. From there, they don't have the same issues, so they didn't respond back to come discuss it because they didn't have a need.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- When I asked the question at a Board Meeting and tried to have conversation about this law, it was stated, "we're not having a public hearing here".
- My question was at the beginning of the proposal the reason why we are doing this is we have certain religious groups that have to walk, etc. this is not to one particular group?

Trust Valentine:

- It is particular to the health, safety and welfare to all the residents.
- They have to be protected as best we can. We cannot do nothing.
- Our responsibility is to all the residents.
- Other groups did not have the same concern.

Sabrina Martin – 20 Ronwood Rd., Chestnut Ridge, New York 10977:

- This proposal was created to advocate for a particular religious community, I think everyone would feel that's the truth.

Mayor Presti:

- Let me give you an analogy.
- We had a group of residents that were unhappy with the parking situation in a certain area.

- They came to me and said you need to address the parking situation on this street.
- I didn't go canvass other developments and parts of the Village.
- What I did was spoke with the Village Engineer and said, this is the issue; what do you propose?
- He came up with a proposal with regard to the local law; and before we passed that Local Law we advertised the Local Law.
- Talking about specific types of parking; whatever the case may be.
- By publishing it, by putting it out there what we are proposing to do is an invitation for anyone to come to the table and give us their thoughts; this is the same thing.
- The OJC says, we have a need that you as a Village need to address because there are 8,300 people in this Village and we are part of this Village and right now you're not addressing all of it.
- Let me talk to my Planner and my Planner is going to come up with the proposal.
- And if you want input on that proposal you are welcome to give it; and we got it.
- And now we have draft I of the House of Worship Law proposal and according to law we publicize it and we invite comments from anyone and everyone.
- It has to start somewhere.
- Otherwise you spend all your time having workshops and caucuses and you don't have a product to begin to with, by way of analogy.
- You may not agree with my analogizing it, but that's how it came up.

Sabrina Martin – 2 Ronwood Ct., Chestnut Ridge, New York 10977:

- I made a statement about the Zoning Laws and the impact that it had on the community.
- I cited State documents with regards to Moratoriums and also cited what the recommendations were that came from the Planning Board.
- I started out by making reference to your statement as to valid reasons why we would want to consider a Moratorium.
- The October 27th meeting one of the many times the public had raised concern about having a building Moratorium.
- Your response was, "we can't just build a Moratorium because we don't like what's going on; however, if we have to consider a change in our Zoning laws that would be a reason.
- I capitalize on that statement, you made in reference to the current proposal, it is not just affecting one area, based on experts you got responses before this proposal was implemented there was a need to come up with a Comprehensive plan; establishing a Building Moratorium until you complete that plan would be appropriate.
- You responded to me, also threw some stuff in there about doing the right thing; walking and talking integrity, you threw all that stuff in there.
- You were kind enough to say, "you are right Ms. Martin we are going to do the right thing."
- And then you chose to take my words and say, you know what, we can't build a Moratorium any time we change zoning laws; that's kind of diminishing what I was saying, because we weren't talking about any zoning law
- I know that you know, and you know that I know you know that I did not mean that every time you changing a zoning law you need to stop and come up with a Comprehensive Plan.

- That is not what I meant and not what I said.
- If there was any time to consider to build a Moratorium this is because the proposal based on the response you got from your Planning Board what warrants the Village to say. Let's stop, let's look at what we're doing; let's come up with a Comprehensive Plan and while we are doing that we justifiably need to have a Moratorium in place. And you know I did not mean not for any zoning law but for the particular law.

Mayor Presti:

- I think I've been pretty consistent in my explanation as to purposes of a Moratorium.
- Usually as a last resort when you got zoning codes or laws that really are no longer applicable or maybe not have grown or revolved with the municipality that basically you have to put a halt on everything.
- I think I mentioned on a regular basis that's a decision that the Board will make after getting consultation from their professionals.
- The Village Engineer/the Village Planner, combination thereof and looking at the current Zoning regulations.
- This Board, while we revisit it every time someone has made the recommendation our Zoning laws are not that behind the times, are not creating issues with developers, banging down the door to develop in this Village and we are unable to deal with the developers coming in here
- Those are the problems; what happens is everything stops; not just your sub-division that's already through the Board, not just variances, you want to renovate your kitchen you are going to wait six months because no building permits are issued, nothing whatsoever.
- So, if you're going to go with a Moratorium, it has to be a pretty serious situation going on in your Village that you are going to put a complete halt to everything.
- I was on the Planning Board in 2001, Trustee Valentine has been on the Board about the same time, has been talking even before the Planning Board has been talking the need for a Comprehensive Plan.
- When I was on the Board, after I left the Board, they said you need a Comprehensive Plan.
- Good Housekeeping is to have one.
- Finally, after being elected as Mayor and having the opportunity speaking with my colleagues and the people on the Board we said, "let's start looking at a Comprehensive Plan"; you're not going to be able to do the whole thing at once;
- You've been trying for twenty years.
- We will do it in pieces.
- Red Schoolhouse Corridor.
- We do not have to inconvenience people in the Village.
- Our Zoning Code, for all intensive purposes is pretty good; and we will evolve as we need to evolve.
- A lot of the folks don't agree with that and that's your prerogative.
- A Moratorium is not something you do it "willy nilly".
- And this Board decided not to do it, and that's why we decided.

Sabrina Martin – 2 Ronwood Ct., Chestnut Ridge, New York 10977:

- We have a plan, a proposal that's going to have an impact on the entire Village; not a street, not a corner, not a parking lot.
- I respect your enology about the neighbor who had something going on the street, no need to ask them across the way; this is not just affecting one neighbor or one street in one little section, we have something very serious going on here.

Mayor Presti:

- Ms. Martin, I'm not going to be able to convince you why we don't have a Moratorium; that's your opinion.
- I am all for dialog; normally, we have five minutes for people speaking.
- I am not shutting down.
- We need to get some closure and at least move along.

Sabrina Martin – 2 Ronwood d., Chestnut Ridge, New York 10977:

- I don't think I'm speaking for myself.
- I would like to walk away with a solid reason, we are not saying, make a decision today.
- I think what we would like to hear, which we haven't heard, is there is a willingness to consider it now, given that we have something pretty serious going on now?

Trustee Cohen:

- **A Moratorium is not the answer for the serious problem we are dealing with now.**
- In the history of our Village, when we did have a Moratorium and I will give you an example of when we did have one.
- Back in the early days of the Village all the non-profit organizations that had property were soliciting cell phone towers to go on their property.
- We didn't have a law that dealt with cell phone towers.
- We didn't want to have a cell phone tower on every non-profit piece of property; it wasn't necessary.
- The non-profits would make money by renting out their property with cell phone towers.
- So, when we saw there was a lot of interest in this, and our Zoning Law didn't deal with this at all.
- What we did was we hired scientists and engineers from MIT to give us the education of cell phones towers; it took a year.
- We had to renew the Moratorium for another six months.
- In that time, we established certain locations that cell phone towers would be appropriate for the Village, and any other Carrier would have to go on the same towers.
- Now we have one on Alpine Ct., we have one here on Schoolhouse Rd., and we have one on Scotland Hill Rd. and another one been proposed on the VFW property; that's been in conversation and to fruition for 12 years.
- However, that satisfied the need for cell phone towers and we dealt with it.
- Once that law was in place we had a mechanism for cell phone towers; and that solved the problem.

- Should it not have solved the problem, we had a mechanism in our law that dealt with it, they had to prove any existing areas that needed a cell phone tower didn't exist they'd have to come in and make their case.
- That's exactly what they did with the VFW property on Saddle River Rd.
- That's the appropriate use of a Moratorium, where your Zoning law didn't deal with it.
- Our existing Zoning code dealt with Houses of Worship; however, it was inadequate for the Orthodox people who need to walk to neighborhood Houses of Worship.
- We realized that our Zoning code wasn't compliant with State Law and Federal Law and that's why we came up with a law that is.
- It is up to everyone to review, make suggestions and any others.
- The Foster Church sent us a letter that law is not compliant with what their needs were and it's under consideration.
- I hope this answers your question.

Sabrina Martin – 2 Ronwood Ct., Chestnut Ridge, New York 10977:

- Why do you say our current Zoning Law is not compliant with State and Federal Law?

Deputy Mayor Brock:

- The way the law is right now, 100% of the houses in Chestnut Ridge can become Houses of Worship; residential Houses of Worship.
- Right now, without any restrictions and amount of people, on the size; on anything.
- That's the way the Federal Law is interpreted right now.
- If you want to have some controls about amount of people, control about safety, if you want some control you have to create a law.
- Because your house, my house and every other house in this village can become a residential House of Worship.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- I take issue with how you are interpreting RLUPA.
- You are not allowed to discriminate about a particular religion where you are allowing and ice cream store and you don't allow a House of Worship in a residential neighborhood.

Mayor Presti:

- No, it doesn't say that.
- You have your interpretation of RLUPA.
- You have been speaking for ½ hour or longer than that.
- I came up with one particular subject.
- We will have five minutes from now on.
- We don't want to be here until midnight.

Sabrina Martin – 2 Ronwood Rd., Chestnut Ridge, New York 10977:

- I thought we would have an interpretation around RLUPA.
- To say we are violating Federal Law is not an accurate statement.

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

- What they did at Woodcliff Lake was wrong.
- Three times the religious institution came to them; they wanted to expand the Chabad.
- They did everything the right way and three times the Village of Woodcliff Lake came up with a reason they couldn't.
- They are in the soup right now and deserve to be in the soup; I don't think anybody in this room is going to disagree with that.
- The big issue here is again, something brought before the body of the Village of Chestnut Ridge and everybody felt the same way.
- They looked at that one paragraph in the resolution and they said, "who are these people in the Orthodox Jewish Coalition and why wasn't anybody else consulted?"
- Addressing we don't have a definition of what a Mikvah is; I remember talking; it's a Spa.
- There is nothing to articulate exactly what that is.
- I can remember hearing that from the Building Inspector and other members of the Boards.
- Regarding our Codes; we don't have a definition of what a garage is; we use either the State or the Town.
- My suggestion and my feeling are maybe addressing this issue of House of Worship we have to take good, hard look at how we identify specific areas of construction so we know what they are.
- When 3 Spring Hill Terrace says, I'm a 3-car garage and it's really a shul we have a mechanism to control things like that.

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

- I don't except most of the explanations the Mayor and the Board are giving about the Moratorium.
- Example of Moratorium and cell towers.
- That demonstrates a Moratorium can be very focused on specific things.
- So, when the Mayor says, if someone wants to renovate their kitchen, build a deck they can't do it.
- You can obviously tailor a Moratorium to what you want.
- I'm sure I can get Planners to get up here and say that.
- You even just told me Trustee Cohen that was the case with the cell phone.
- So, the analogy here is the problem we have with the incoming religious community, (which I respect and understand), where the Zoning Law doesn't accommodate what they need; that we have a Moratorium on illegal garage conversions; 26 Pascack Rd., 1 Karow Ct., and, I assume will be found out pretty soon, 12 N. Highland where the garage is being completely converted over a full time use; that is in violation of the existing code.
- So that would be a natural Moratorium; any kind of renovation that it would cause dozens of people to come to residential homes as Trustee Brock said; and it's inconveniencing many people here with the dozens of cars.
- Seems to me there is a natural case for a Moratorium; so, I don't accept the explanation the Mayor is giving.

Mayor Presti:

- 90% of the issues have nothing to do with Moratorium, they have to do with enforcement; that's the issue.

- You don't have a Moratorium on improper use of the garage.
- What you do is you have to address that.
- A Moratorium is, as I have mentioned before when you have folks do things that you are not really prepared for, whether it be cell towers, building developments, etc.
- A Moratorium is not in lieu of enforcement, enforcement is enforcement.
- I will be the first one here, and raise both my hands, our enforcement has not been good.
- What this Board is trying to do is address it.
- I know you are still not happy, but unfortunately, it is not going to happen fast.
- As I been trying to tell everyone we've been trying to get that Building Department back in shape.
- When I came here as Mayor, we had to share.
- We are trying to get back on track.
- I have been here a little over four years; the issues that this Village has been facing, have been on going a lot longer than four years; I am not trying to make excuses.
- This Board cannot solve it as fast as you would like it to be solved.
- I can assure you this Board is well aware of what everyone's issues are and we are trying as best as we can to address them.
- You may not agree, you may not believe it, but all I can tell you is this Board has tried to do the best for the Village.
- It was going on before and unfortunately, after we probably leave.
- We will not give up the ship and we will continue trying to fight the good fight as far as moving things along.
- In addition, a Moratorium will not apply to Houses of Worship.
- All the Moratoriums in the world will not stop somebody from saying I want to worship in my house.
- And we cannot say you have to wait six months; cannot do that.
- So, if you keep bringing up a Moratorium because you think you are going to stop people from worshipping, that's not going to happen.
- I'm just putting it on the record a Moratorium is not going to be appropriate for people to worship.
- I think I said it as distinctly as I can we understand, code enforcement, enforcement. I understand, we understand.

Dupuy Magali – 49 Spring Hill Terrace, Chestnut Ridge, New York 10977:

- We were always told as a teacher, kids are allowed to participate.
- If you had five classes, and then you draft it.
- Not all religious communities were asked their input in the drafting of this proposed law.
- If everybody had an input then you would not have this problem.

Carole Goodman – 964 Chestnut Ridge Rd., Chestnut Ridge, New York 10977:

- Are you aware of the fact a synagogue, a shul is not necessary in order to pray?
- So, now instead of having that draft proposal saying that they can have a synagogue in their home, is there a difference they can pray in their home.?

Mayor Presti:

- Right now, anyone can pray in their home.

Carole Goodman – 964 Chestnut Ridge Rd., Chestnut Ridge, New York 10977:

- So, if they can pray in their home, why do we have to go through all this?
They are praying in their home, in store fronts, in super markets, in offices,

Mayor Presti:

- The distinction is as follows, as I understood it to be.
- You have a prayer group in your home on a regular basis.
- You're not a Minister, you're not a Rabbi, you're not Clergy.
- You're having organized religious services; while the law says we cannot prohibit, we can set perimeters so long as those perimeters are not burdensome.
- So, now we have now morphed from you having a prayer service or a book club, or whatever you want to call it, to now organized religious assembly and that's what we have to address.
- And that's what the House of Worship Law is to address.
- So that you're not going to be in a situation where someone wants to have organized religious services in their home for eighty people on a regular basis; because it's going to affect the quality of life in the neighborhood; it's going to affect parking, it's going it's going to affect building codes; things of that nature.
- So, the law says you can address some of it to a certain degree, you're not going to be able to prohibit that but you can rein it in.
- So, long as those requirements are not burdensome, or discriminatory or arbitrary they will hold water.
- That's what is going to be the difference between everybody having a House of Worship on the block to if you want to have a House of Worship you want to live in one half and the other half you're going to have organized, religious services.
- As I understand it, it is going to be organized activity, dealing with religious assembly.
- It's not going to be a regular poker game, it's not going to be a regular book club.
- So that's what we are doing and that's why we need the law because we don't want to be in a situation where you are going to have eighty people on a regular basis.
- Eventually the law is going to say she's allowed to have people assemble on a regular basis, but she needs perimeters.
- You need to tell her what those perimeters are.
So, now we say, "Rabbi, you can have no more than forty people in the house, because your house is only 3,000 square feet.
- You have to make sure if that you have fifteen cars that so many cars are parked off the street, not on the street and things of that nature.

Carole Goodman -964 Chestnut Ridge Rd., Chestnut Ridge, New York 10977:

- So, clarification for me are you then creating a synagogue or shul in private homes or are you creating perimeters for the limitations for parking, for code violations, for people, etc.
- If that's the case what is the terminology for the creation of these areas; are they referred to synagogues or shuls.

Mayor Presti:

- House of assembly based upon certain sizes; that's what we are doing; residential, neighborhood and your community.
- Your community as we know would be your large-scale synagogues, mosques.

Carole Goodman – 964 Chestnut Ridge Rd., Chestnut Ridge, New York 10977:

- Under those definitions and almost perimeters are you classifying 3 Spring Hill Terrace as a House of Assembly?

Mayor Presti:

- Not yet, but, they theoretically could come to this Board for a Special Permit now for a House of Worship, just like the Foster Church did.

Carole Goodman – 964 Chestnut Ridge Rd., Chestnut Ridge, New York 10977:

- My last question is, does a House of Assembly or House of Worship that is not considered a synagogue or a shul or a church does that still qualify for tax exemption?

Mayor Presti:

- You could have with a residential House of Worship where the Rabbi or the officiant is living in the home, and a portion of the home is for organized, religious services and a portion of the home for the officiant living in that home.
- The owner of that home is going to go to the Town, whether it be Ramapo, Clarkstown, Orange town and they are going to apply for a partial tax exemption; which the State has certain perimeters that they have to follow.
- So, they say, “who are you”, “what do you do”, “who owns the property”, things of that nature.
- Theoretically, in your home a portion for resident and portion for organized religious services.
- As long as you comply with what the statutory regulations are, you will get a portion of a tax exemption.
- Now, a Neighborhood House of Worship, a small one, is a home on maybe ½ acre, one acre, two acres, not a community because community is five acres.
- However, the neighborhood House of Worship, if it's owned by a Congregation and again they have to verify within the State perimeter they are a recognized, organized religion they can apply for tax exemption status; just as community Houses of Worship can do the same thing.
- I will qualify that with permitted, non-profit, charitable organizations; as we currently stand here this evening the top of the list with regard to tax exempt properties probably is with the Town of Ramapo, because you don't have to pay taxes when you're the Town; just like we don't have to pay taxes for properties we own as a Village.
- Threefold Foundation, they are probably the largest, non-profit tax-exempt organization in the Village; after Threefold is the Salvation Army, owns a number of properties in the Village that are fully tax exempt.
- You get down a little bit further and then there are probably a handful of Congregations after that, that are 100% exempt.
- For the most part, the lion's share of tax-exempt properties is Threefold and the Salvation Army.
- That's just a quick primer on tax exemption.

- Obviously, those records are available at the Town of Ramapo you can go down the list, you can see 30% because they are a veteran, 15% because whatever, whatever, whatever.
- We don't have a lot of 100% tax exempt properties, I just gave you the top.

Sabrina Martin – 2 Ronwood Ct., Chestnut Ridge, New York 10977:

- I stand by my statement with regard to the need for us to seriously consider a Comprehensive Plan.
- I appreciate the comment with regards to how a Moratorium can be very specific.
- I also understand that no one would want to put a Moratorium on Houses of Worship.
- We have a proposal that clearly impacts the entire Village and it's just logical and rational to sit back and come up with a Comprehensive Plan
- In the document itself, there are a lot of inconsistencies that are just not making sense, i.e. the interpretation as a substantial burden, where we are presuming that the need to walk to a House of Worship is viewed as a substantial burden.
- We are making a need to walk to a House of Worship a substantial burden which is why we are saying that we need to come up with these proposals.
- Community Houses of Worship is not going to be enough, we have to create Houses of Worship where people can walk to; why are we saying we have to?

Mayor Presti:

- Substantial burden is a process.
- Not everyone has five acres; certain religions have Congregations that will number hundreds of people.
- Other forms of religion, they don't need to have 150, 250, 500 people.
- I'm Roman Catholic; I could never have a House of Worship as a Roman Catholic.
- You have to worship in what would be viewed a community tiered; as a community House of worship; I am not going to speak for the Protestants.
- You are not going to worship in a residential size House of Worship or a neighborhood House of Worship, because the religion doesn't dictate that; you have to be in a conventional size House of Worship; that puts you at five acres.
- You are a Congregation that is just starting; you have twenty-five, forty people, and you come to this Village and you are a legitimate organization.
- I cannot tell you that you cannot worship in Chestnut Ridge because you don't have five acres.
- You would say, "that's not fair Mr. Mayor, I've got twenty congregants and I want to be able to worship in that house right there.
- And then what you are going to do is sue me; you're going to say, "I should be able to worship in that house right there with my twenty people and you are going to win.

Sabrina Martin – 2 Ronwood Ct., Chestnut Ridge, New York 10977:

- With regards to your statement that there is nothing wrong with creating a proposal where there are community Houses of Worship that they don't have to have five acres, they can have four acres, they can three acres, but they are still community Houses of Worship.
- You can have twenty people then you can create an area where there are community Houses of Worship; it doesn't have to be in a particular person's house.
- You have a document that is not consistent.

- We talk about the fact we have to deal with substantial burden; we claim the document is inconsistent with RLUPA.
- The presumption is we are not allowing for people to do what they need to do or that the current law is creating a burden that we need to change.
- Our current laws don't really create a burden for anyone.
- If you feel five acres is too much, seriously consider appropriate and fair and not create an environment where the need for neighborhood and residential Houses of Worship is required.
- Reducing the acreage will be appropriate and fair.
- If you're going to do something like that you need to come up with a Comprehensive plan.
- A Comprehensive plan would allow for a Moratorium to be in place, so that things are going on that you need to control because that's what is happening right now.

Marc Levine – 14 Lancaster Lane, Chestnut Ridge, New York 10977:

- I think that the discussion tonight was very good; the Mayor really allowed everybody a lot of time and a lot of leeway; I want to thank you for that.
- I want to set the record straight; the garbage cans are out there.
- 2 Spring Hill – I told the person to report it; they didn't want to report it.
- There are garbage cans on a newly paved surface and I reported it along with 1 Karow Ct. that also has a lot of garbage cans out that never get put back.
- It's all over the Village, it's not a new thing, there are garbage cans left out and it's unsightly.
- Recyclables –two pick-ups every Wednesday; it's probably working sixty percent of the time.
 - Yesterday was my recyclable day; all of my cleaned-up jars and cans that I washed out, two bins of them, I put out with my paper the night before.
 - About 8:00 o'clock in the morning the paper disappears.
 - If anyone puts it out later the paper remains and gets picked up on Thursday with the trash.
- Sometime between 2 and 5 o'clock another truck comes by picks up the cans, bottles, etc. except yesterday, it happened before and the truck was delayed and never showed.
- All of my work and effort to recycle was sitting there overnight and this morning the truck came by and I thought just the recyclables; no, it was for trash so all my recyclables, my clean bottles and cans are now in the land fill and we don't get paid for it, my garbage was left there.
- Thought two times a day was too much for the carrier; it's very hard for him to do that recyclable twice and a lot of times it's not happening.
- Thought we should go back to what we had before; carrier should be notified not to pick up cardboard, it's going out with trash.

Mayor Presti:

We will follow up with the Carter to make sure;

1. They are following the proper schedules regarding recyclables.
2. They instruct their drivers they have to be very aware of recyclables verses trash/ garbage.
 - They have a Contract and we will, remind them.
 - My presumption is, I think they thought they are doing us a favor because the stuff is left out after the fact.
 - As they say, no good deed goes unpunished.
 - Unfortunately, it's a problem; you say it's running rampant. It's not running rampant, there are houses that are having it done.

- You go through the Village, the five square miles, you are going to find there two dozen, three dozen houses are not having it done and failed to comply; but the other 2,245 houses do comply.
- The bottom line is we will follow up with it.
- I do not drive around with the garbage truck.
- I do not drive around every recyclable day.
- We are not going to go back to every other week; it's not going to happen, at least whatever I can do about it.
- We are probably making around ten to twelve thousand dollars a year and it's going up every year.

Moved to Close the Public Hearing.

MOTION: Deputy Mayor Brock

SECOND: Trustee Cohen

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

Moved to Adjourn the Meeting,

MOTION: Trustee Cohen

SECOND: Trustee Valentine

The Board was polled and voted 4-0 to Adjourn the Village Board Meeting.

MEETING ADJOURNED: 9:50 P.M.

Respectfully submitted,

Florence A. Mandel

Village Clerk

Recording Secretary

Resolutions:

1. Resolution to accept resignation of Deputy Mayor Brock, effective August 31, 2018.
RESOLVED, that the Village Board accepts the resignation of Deputy Mayor Brock, effective August 31, 2018.

2. Resolution to appoint Constatino Blasioli to the position of Code Enforcement Officer I, part-time, 17 hours per week.
RESOLVED that the Village Board approves the Mayor's appointment of Constatino Blasioli to the position of Code Enforcement Officer I, part-time, 17 hours per week.

3. Resolution to authorize the Mayor to execute the Rockland County Community Development Consortium amended Cooperation Agreement.
RESOLVED that the Mayor is authorized to execute the Rockland County Community Development Consortium amended Cooperation Agreement.

4. Resolution to authorize the Mayor to execute the Longabucco Court and Wanamaker Lane dedication documents subject to the approval of form by the Assistant Village Attorney.
RESOLVED that the Mayor is authorized to execute the Longabucco Court and Wanamaker Lane dedication documents subject to the approval of form by the Assistant Village Attorney.

5. Resolution to amend the Fee Schedule to provide that the Recreational Fee be assessed on a “per dwelling unit” basis (from the current “per lot” fee).
RESOLVED that the Village of Chestnut Ridge Fee Schedule is hereby amended to provide that the Recreational Fee be assessed as \$5,000 “per dwelling unit” basis (from the current “per lot” fee).

6. **Resolution No. 2018-70:**
RESOLVED, that General Fund Claims set forth on pages 1 through ___ in the aggregate amount of \$_____ as set forth on Abstract No. 2018-8 dated _____, as submitted by the Village Treasurer, are hereby approved.