

MINUTES OF THE BOARD OF TRUSTEES

VILLAGE OF CHESTNUT RIDGE

JANUARY 17, 2019

The Board of Trustees of the Village of Chestnut Ridge convened in regular session January 17, 2019 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

GRANT VALENTINE - DEPUTY MAYOR

HOWARD COHEN - TRUSTEE

PAUL VAN ALSTYNE - TRUSTEE

ABSENT:

RICHARD MILLER - ABSENT

PRESENT:

WALTER SEVASTIAN - VILLAGE ATTORNEY

FLORENCE A. MANDEL - VILLAGE CLERK

1. Pledge of Allegiance.

2. Mayor's report.

- Good Evening; Mayor welcomed everyone
- Had Trustee Miller on speaker phone. Trustee Miller cannot participate as a voting member. He is away on business on the West Coast and asked if he could participate by listening in, which is no issue.
- Issue with regard to HOW law and my representation of a complete copy posted on the Web-site; which it was.
- My definition of a complete copy is the law showing from cradle to where we are at currently as to the law; you follow from Draft I to the current Draft; and by reading through it you can see how it changed; the **RED** lines, strikes is to provide individuals how the law developed, to track how the law incorporated various criticisms, comments and revisions.
- In my definition and in my usage of various statutes in my professional practice and elsewhere that is considered the complete law.
- However, for those folks for whatever reason, maybe they are confused with the **RED** lines, maybe **overwhelmed** by the shading in the **RED** lines, as a courtesy to them and as clarity to them we posted that version of the law also.
- There are two complete versions of the HOW Law on the web site; the **RED** Line version showing those people who want to track the status of the law from beginning to the end.
- And for those people who are annoyed, can't read it, a cleaned-up version; depending on your choice you can read what you wish...
- The statute in my office, I have the law in the book; and the back of the book has the revised law and the revised law shows the strike out.
- The publisher is not trying to fool the reader; that's how laws are published; nothing new, there is nothing nefarious, underhanded.
- You have an option to have a second, cleaner version.
- January 22nd is the deadline for any written comments.
- February 21st when we will be entertaining the law, possibly to pass it, maybe not, we don't know; in the spirit of continued accommodation and transparency and so everyone can see what is going on, the meeting will be changed to the Junior High at 7:30 p.m.
- Public meeting on the 21st of February will be at the Jr. Hl. School we have to be done by 9:45 as an accommodation to the host.
- Assuming it is, and no change, it will be posted and the Tuesday before we will try to send out an e-mail "**Blast!**".
- There should not be any question; the Village is letting everyone know what we are doing.
- Regarding Personnel – Rockland County Personnel has advised us they are continuing to vet our proposed candidate for the Deputy Building Inspector.
- They had the application since just after Thanksgiving, they had a supplementary submission shortly after that.
- The County advises us that they are still using their process that the County uses to vet candidates; I assume background checks, to do whatever the County does and then they will respond to us accordingly.

- Maintaining cautious optimism, the fact we have not heard from County Personnel yet, that they denied our candidate I am hoping they will be approving him.
- In addition to the Deputy Building Inspector, as everyone has been aware; the Village was on track to hire an additional Full Time Code Enforcement Official and a Part-Time Code Enforcement Official.
- Again, because of the requirements of Rockland County Personnel, we were denied our Full-Time candidate that we wanted because Rockland County Personnel; decided they felt he didn't have enough experience; the Village felt he had sufficient experience.
- With regard to the Part-Time candidate, there too, Rockland County personnel didn't feel he was an adequate candidate for the Village even though it was our opinion that he was.
- Without having to go to war with the County Executive and Rockland County Personnel; we were then able to hire who was going to be our Full-Timer as a Part-Timer.
- That Part-Timer, in accordance with Rockland County Personnel needed a few more months training that they felt that was necessary for him to be considered; so come May or June, that individual should have the necessary additional experience since he's been working for us here at the Village to move over to the Full-Time position. .Once he moves over, to the Full-Time Code Enforcement position, that part-time position will then be vacant and then we will be in a position to again, interview for that part-time position, and again we will have to go through the procedures that are set by Rockland County Personnel and we will try our best and maintain our cautious optimism to find a candidate to hire for a part time Code Enforcement Officer.
- If all goes well and if all planets are in alignment; super moons, red moon, blood moons, all moons considered our Building Department should be comprised of:
Full-Time Building Inspector, Full-Time Deputy Building Inspector, Full time Code Enforcement Official and two part-time Code Enforcement officials; we will maintain cautious optimism that this will occur.
- Next step, not only with Building Department we will make sure with the next budget we will have allocated the proper funds to maintain the personnel that I just proposed to you; in addition to allocating the funds for that, in speaking to our Planner and I had requested from the Planner a proposal to finish the **Master Plan** for the rest of the Village.
- With the data that was accumulated as a result with the Red School house Corridor Study completing the remainder of the Village, will be a little easier; he has a lot of the raw data on hand. Obviously, they will still have to do more of what the Planners needs to do with the remainder of the Village, and the Planner estimates to me once they get moving again, he has to provide the proposal and presuming that the proposal is within reasonable perimeters allocating the proper funds in the budget, he tells me one year.
- That will be from when we officially start going; my hope is within the next two months we will be able to do that; and again, his estimate it will be a year, plus or minus a month or so he tells does tell me in good conscience, probably a year to do.
- Maybe a year from the Spring we will have our Comprehensive Plan wrapped up, and all buttoned up and ready to go.
- That's budget, Personnel, House of Worship.
- I had an opportunity, again, to have my Sunday, with the Mayor on January 6th.
- Did have residents come in to discuss a few things.
- As folks are aware, I do meet that first Sunday of the month, excluding July and August.

- Yes, I will be meeting on Super Bowl Sunday since it's later in the day.
- My next Sunday with the Mayor is 12:00 noon on February 3rd.

3. Open Floor: Public discussion of Agenda Items.

Joanne Mallory - 7 Imperial Lane, Chestnut Ridge, New York 109077:

- Question # 9 - Asked why Official Notices couldn't be on the web-site?
- Question #10 - Asked about Registration Day for the election; is it normal not to let people register before the Village Election?

Mayor Presti:

- Responded notices are on the web-site, but by law we have to designate official location and that's the designation for the official location.
- We didn't pass anything yet; it will be on the web-site.

Attorney Sevastian:

- Notices of meetings and things are on the web-site; meeting dates, announcements.
- The law requires they are sent and published in the newspaper and sent to newspaper record for and posted in various locations; and if have the ability to put on the web-site they are put on the web-site.

Mayor Presti:

- Explained #10 doesn't say you can't register before the Village Election.
- If you register, you go through the Rockland County Board of Elections.
- We've done this since 1986, is my understanding.

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

- Asked about #13 – Nabil Ghanem as Zoning Board member
- Asked about #14 – Debra Stewart as Architectural Review Board member
- Requested to know something about their background; are these people taking regular positions or alternate positions on the Board?

Mayor Presti:

- Nabil Ghanem – Currently serves on the Architectural Review Board. He's an engineer by professional training. He will be filling the term of Ally Thorne. which is a regular position. which expires on April, 2022.
- Debra Stewart – has been a resident of the Village of Chestnut Ridge for a number of years. She, most recently was the Chief of the Faist Ambulance Corps. and she will be filling regular position of Nabil Ghanem; which will expire on April, 2022.
- Both regular positions; not alternate positions.

Anthony Shaut – 23 Mouacdie Drive, Chestnut Ridge, New York 10977:

- On number 11- \$3,820.00 less.

Mayor Presti:

- The Town of Ramapo has been very good and very conscientious; that the services incorporated in the maintenance project with regard to being fiscally prudent all around.
- We appreciate that Ramapo has been doing that for us and fulfilling that obligation.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

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

4. Approval of Minutes of Previous Meeting, December 20, 2018.

MOTION: Deputy Mayor Grant

SECOND: Trustee Van Alstyne

- **Trustee Cohen abstained. Was absent from Village Board Meeting of 12-20-2018.**

The Board was polled and voted 3-0 to Approve the Village Board Minutes of December 20, 2018.

5. Resolution No. 2019-1 - Resolution authorizing a contract for Dog Control services with the Town of Ramapo at a rate of \$45.00 per hour.

RESOLVED that the contract with the town of Ramapo for Dog Control services for the period of January 1, 2019 through December 31, 2019 at a rate of \$45.00 per hour is hereby approved, and be it further

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

- **Mayor Presti: Same as last year.**

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted to Approve the Town of Ramapo Dog Control services of January 1, 2019, through December 31, 2019.

6. Resolution No. 2019-2 - Resolution authorizing a contract for Fueling services with the Town of Ramapo.

RESOLVED that the contract with the town of Ramapo for fueling services at a cost exempt of taxes for the period of January 1, 2019 through December 31, 2019 is hereby approved, and be it further

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

MOTION: Deputy Mayor Valentine

SECOND: Trustee Cohen

- **We don't pay the taxes that most of the public would have to pay.**

The Board was polled and voted 4-0 to Approve the Fueling Services contract with the Town of Ramapo.

7. Resolution No. 2019-3 - Resolution approving Highway Maintenance Agreement with the Town of Ramapo (\$505,000.00).

RESOLVED that the contract with the town of Ramapo for Highway services for the period of January 1, 2019 through December 31, 2019 at a cost not to exceed \$505,000.00 is hereby approved, and be it further

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

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve the Highway Maintenance Agreement with the Town of Ramapo (\$505,000.00).

8. Resolution No. 2019-4 - Resolution to notice dates and times of 2019 meetings of Village Board, Planning Board, Zoning Board, CDRC and Architectural Review Board.

RESOLVED that the Village Clerk is authorized to transmit the 2019 meeting dates for the Village Board, Planning Board, Zoning Board, CDRC, and Architectural Review Board to the Rockland Journal News for publication.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve Resolution No., 2019-4 to notice dates and times of 2019 meetings of Village Board, Planning Board, Zoning Board, CDRC and Architectural Review Board.

9. Resolution No. 2019-5 - Resolution designating official posting notice locations for the Village of Chestnut Ridge:

RESOLVED that the vestibule at Village Hall and the Village Meeting Room are the official location for posting notices for the Village of Chestnut Ridge.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve Resolution No. 2019-5 designating official posting notice locations for the Village of Chestnut Ridge.

10. Resolution No. 2019-6 - Resolution providing that there will not be a Village Registration day (Election Law 15-118(3)).

RESOLVED, that the Village of Chestnut Ridge will not be holding a Registration day (s) for the 2019 Village Election.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve Resolution No. 2019-6.

11. Resolution No. 2019-7 - Resolution appointing Village Election Inspectors (Election Law 15-116(2)).

RESOLVED, that the following persons are hereby appointed as Inspectors for the General Village Election to be held on March 19, 2019:

- | | |
|---------------------------|-------------------|
| 1. Alan Rubin Chairperson | 2. Yvonne Capponi |
| 3. Etta Elaine Taylor | 4. Susan Gordon |
| 5. Ellie M. Lowery | 6. Louise Jenkins |

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve Resolution No. 2019-7 appointment of Village Election Inspectors.

12. Resolution No. 2019-8:

Resolution to approve payment of \$7,866.72 in a tax certiorari settlement on tax parcels 63.17-1-5, and 63.17-1-8 (PAR Pharmaceutical)

RESOLVED, that pursuant to Court Order in a tax certiorari proceeding, the sum of \$7,866.72 is hereby authorized to be refunded to PAR Pharmaceutical, the owner of Ramapo tax lots 63.17-1-5, and 63.17-1-8.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

- **One abstention**
- **The Board was polled and voted 3-0 to Approve Resolution No. 2019-8** payment of \$7,866.72 in a tax certiorari settlement on tax parcels 63.17-1-5, and 63.17-1-8 (PAR Pharmaceutical).

13.. Resolution No. 2019-9:

Resolution to appoint Nabil Ghanem as a member to the Zoning Board of Appeals member for a term to expire April 2022.

RESOLVED that the Mayor's appointment of Nabil Ghanem as a member of the Zoning Board of Appeals member for a term to expire April 2022, is hereby approved.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve t Nabil Ghanem as a member of the Zoning Board of Appeals for a **term to expire April, 2022.**

14. Resolution No. 2019-10:

Resolution to appoint Debra Stewart as a member of the Architectural Review Board for a term to expire April 2022.

RESOLVED that the Mayor's appointment of Debra Stewart as a member to the Architectural Review Board for a term to expire April 2022, is hereby approved.

MOTION: Trustee Van Alstyne

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve Debra Stewart as a member to the **Architectural Review Board** for a **term to expire April, 2022.**

15. Resolution No. 2019-11:

RESOLVED, that General Fund Claims set forth on pages 1 through 4 in the aggregate amount of \$159,953.22 as set forth on Abstract No. 2019-1 dated January, 2019 as submitted by the Village Treasurer, are hereby approved.

MOTION: Trustee Cohen

SECOND: Van Alstyne

The Board was polled and voted 4-0 to Approve the Abstract No. 2019-1 dated January 17, 2019.

OPEN FLOOR PUBLIC DISCUSSION:

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

- Wanted to address the House of Worship Law
- Stated the Village had done a decent job.
- When he reviewed the draft, before and the one that came in after the meeting was closed.
- *Asterisk sends you back to probably the original document, so it makes it very difficult to review the entire document.
- This is an extremely important law.

- For thirty or so years we've never had to entertain something that would impact the Village the way this one will.
- Thought we should have entire draft so people don't have to go back to review.
- Document was changed; it was changed to residential places.
- Asking for next time we have our Planning Consultants draft the entire document and that is going to be approved, and give the public a chance to pick up at Village Hall; have entire document on the web-site, let people review, so there is no mistakes.
- I know you want to Close the Public Hearing.
- I'm further suggesting, that now tonight you re-open the public hearing.
- It is not going to delay anything, let the public look at it, give it some comments, and your next February hearing you can then close the public hearing and vote.
- Ask that any additional comments be given by a certain date in February; not looking to delay this thing.
- Don't want to hear later on that I didn't know this was in there, and it's very hard to follow.

Mayor Presti:

- The law that's on the web-site is the law that we are considering.
- As a matter of drafting, and in the past whenever we passed other laws, maybe half of them they would refer to other provisions of the zoning code that's also not part of that law.
- It may say refer to section 1507, for parking, 87-2 for use.
- We are not going to do that with the House of Worship Law.
- The House of Worship Law that is on the web site is the law that we are considering.

- The fact that it has an * to refer to other sections, saying refer to column F for this, or column G for that, does not make the law non-compliant with regard to what's being posted.
- Folks have had ample opportunity, and continue to have ample opportunity, to comment on the law.
- Their written comments are still received; it is still open to January 22nd.
- We have provided the law that we are going to provide.
- We comply as far as publication is concerned, as far as the logistics of the law itself is concerned; that's done.
- Unless I hear a motion from my colleagues on the Board here with regard to reopening the public hearing, I don't think that's going to be a possibility.

Marc Levine – 14 Lancaster Avenue, Chestnut Ridge, NY 10977:

The * are not referring to different sections of the code.

Basically, what it says at the top of the page is Sections of the law have not been changed; then they weren't included in this draft.

If you are reviewing this law, you must take this document and go back to another document and keep going back and forth.

I know that you are going by the law; however, again, this law is a law that is going to impact the entire Village like no other law has.

I think it should be basically understood by the public so that later on no one has anything to say.

Mayor Presti:

- **On the web site are all the Zoning codes within the Village of Chestnut Ridge.**

- If it is referring to another zoning code, they can find it on the web-site; if they can't then they can come to Village Hall and request a copy of it.

Marc Levine – 14 Lancaster Avenue, Chestnut Ridge, NY 10977:

- You're asking people who have never looked at a law in their life, you, I would hope you would have this entire document in front of you.

Jerry Liebelson – 31 Midway Road, Chestnut Ridge, NY 10977:

- A few months ago, submitted a complaint about video cameras posted in right away on polls on Raymond Ave. Sparrow Ave., Oriole, Eagle Street, they still there
- If there is a violation of code when do you expect them to be removed?
- Haller Crescent shut and dry case with trailer.
- Two months ago, 25 Eagle Street, situation where Building Inspector approved plans for a one garage, after they closed in their two-car garage; which is in violation of ordinance/of existing code.
- This is blatant thing, beyond the issue of 2 Samuel, 2 N. Cheryl and 10 Lillian.
- What is the status of that?
- Is that construction going to be allowed to stand and why?
- 1 Karow Ct., any information about that?
- Are they going to submit new building plans?
- I found it curious that you may not mention in your remarks Law suit filed on the day of the public hearing against the Village; OJC filed the law suit.
- I know you can't comment on any lawsuit, as you couldn't do with the 3 Spring Hill sham law suit, but I will ask it anyway?

- Why do you think the Orthodox Jewish Coalition would submit this lawsuit against the village because of issues you are seeking to correct with the HOW law?
- They are the ones who submitted to you the proposals which I saw dated November 17; provided the bulk of the laws you ended up proposing; I found this rather curious.
- If you could say anything to clarify; I believe others find this very confusing.
- I should be astounded to hear you are actually thinking of doing a Comprehensive Plan, according to NYS Village Law?
- When are you going to have charette; or workshops with residents for this remainder part of the Village?
- Are you going to have just one token workshop like you held for the Red Schoolhouse Corridor and that's going to be it?

Mayor Presti:

- We are going to go through a Comprehensive Plan that is in accordance with the laws for the State of New York.
- You kind of insulted the process with regard with the Red Schoolhouse Corridor Study.
- We had the initial hearings, we had the Charrette.
- We followed the law to a tea; with regard to what is involved in doing the Corridor Study.
- When we complete the rest of the Village, we will continue to do the same thing.
- The Planner will update current data.
- We will hold the charette and have the small group and we will do the exact same thing.

- People will be in groups, able to write down pluses, the minus, their suggestions, what they do want to see, what they don't want to see in accordance with the law.
- I'm offended that you would even think that we would try to foist through a plan that's not in accordance with law.
- I would love to comment on it, but I'm not aware of it.
- We have not been served with a law suit; the Village Attorney has not informed me that we have been served with a law suit.
- What you have in front of you is something that has probably been filed.
- That means the procedure is that eventually it will be served upon us.
- When it gets served upon us, we will assess it.
- Your presumption was, it was so nefarious, that I didn't make mention of it because I was not aware of it.
- If you notice the date of the filing you would probably be able to figure that out
- If it's the day of the hearing on the 15th, that's the filing date, that's not a service date.
- I am offended again that you would think that this Village would somehow hide something as important as that.
- I will defer to my Village Attorney regarding 1 Karow Ct.; that's something he will be able to fill in a little bit more as far as facts.

Attorney Sevastian:

- We are awaiting any more property plans, drawing, suggestions of the property owner require evaluation by Martin Spence.
- **Not going to take place until the escrow account is replenished to pay for Martin Spence's service because the Village doesn't incur those costs; that's the property owner does.**

Mayor Presti:

- 25 Eagle was addressed at the last meeting.
- I addressed the RV on Haller Crescent.
- I addressed the video cameras in December; were you here, Mr. Liebelson?
- The presumption is that we sweep it under the rug.
- You have been here enough, Mr. Liebelson, to know I address the questions from our last Village Board Meeting.

Attorney Sevastian:

- Video cameras are installed in the public right a-way.
- Most streets are paved 30 feet; but the right away itself is 50 feet wide
- The right a-way is 50 feet wide; the street itself is 50 feet wide.
- Only a portion of the street is paved; driveway aprons, mailboxes, plantings; landscaping walls; those things are installed in the right a way and they really shouldn't be.
- If the Village ever wants to widen the street, they own where these items are installed; the Village can give notice to remove them.
- When the Building Department contacted me about the cameras and issued violations to the property owners, my feeling was, look guys, I don't think these things are structures that violate the code provision.
- We are going to ask them to remove them.
- If they don't remove them, we will serve them notice, that you installed this in the right a way and if it gets damaged it's at your own risk.

- If someone comes to us and says, you gave me notice, you are going to sue us to remove our camera in the right a way; that guy has a mailbox in his right a-way, that guy a basketball hoop, in his right a-way.
- It's very common, in many municipalities, that people utilize the public right a- way as if it's their own.
- Does it make it right, no.
- Is it a situation where the Village should ask every single resident who has something installed in the right a-way to remove it: would it be practical or advisable, probably not.
- My suggestion to the Board was we should be sending notices to individual property owners that we want them to sign an indemnification agreement, that they have something installed in the right a way, and if it's gets damaged, we are not going to be held responsible
- Is it the desire of the Village, to ask anyone who has anything in their driveway, to cease, that would be ridiculous.
- There is no specific code violation.

Mayor Presti:

- On your drive home, look to see how many houses in the Village have something within 10 feet of the right away.
- Look at the retaining walls, rock walls, landscape walls, cobble stones, anything, that is not natural, that was put there by the property owner, theoretically interferes with the right a-way.
- It would be extremely unfair if we zeroed in on just the camera pole.
- They will not be served with a summons.

Mayor Presti:

- There is no law against surveillance on their homes

- Maybe it's not so close as the folks say on the poles; so close to the curb.
- If someone feels as though their right is being violated, they are being violated, they may have to file a private suit, not something the village would get involved with.
- In regard to the RV at Haller Crescent, the Code Enforcement official addressed it with the property owner what the code says, if violation wasn't issued, it will be issued,
- 25 Eagle – incidence with property owner not be able to comply with some core sample studies that the building inspector requested; it had to do with electrical.
- Response is in meeting minutes that were approved today what the response was.
- It is not a one car garage, it is considered a two- car garage.

Trustee Cohen:

- Asked Village Attorney by definition of a garage, be it one car or two, is there a certain size designated?
- Normally, a one-car garage would be 10 x 10 and a two-car garage 20 x 20 or 400 square feet.

Attorney Sevastian:

- We base it on the size required for parking spaces.

Hal Sherman – 8 Pine Knoll Ct., Chestnut Ridge, New York 10977:

- 19 Bellows has multiple vehicles with expired registration and a bob cat in the backyard.

Jeff Wasserman – 365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- Regarding the Rockland County's involvement in the hiring process with the hiring for the Building Inspector, Code Inspectors; was this always the case?

Mayor Presti:

- Yes, every hire.

Jeff Wasserman – 365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- Planner – Regarding our Comprehensive Plan –
- Not familiar with the contract with our Planner.
- Do we need to triple bid?

Mayor Presti:

- Professional services we normally don't have to go out to bid.
- It is within the discretion of the Board of Trustees.
- If we feel the professional we are currently dealing with is providing an adequate bid that would be sufficient.
- Sometimes we would go out and seek another proposal or two just to be sure.
- Depending what we are normally trying to do, extends the period of when it could be completed.

Jeff Wasserman – 365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- I would totally understand it for small ticket items.
- Check pricing as a matter of course
- There's no threshold you feel there is a need for pricing.

Mayor Presti:

- I assure you, Mr. Wasserman, just because our Planner gives us a quote of \$4.00 for the Master Plan, that we will do some due diligence to make sure it's reasonable.

Attorney Sevastian:

- The State requires purchase contracts and public work projects to be bid out; professional services are different.
- If you have a professional on staff you utilize his services.
- As the Mayor said, it's prudent fiscal practice to always to confirm the numbers are in reason.

Jeff Wasserman – 365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- I am curious as to why are you considering the Comprehensive Plan now, when the residents have been talking at meetings about Comprehensive Planning for quite some time now?

Mayor Presti:

- They've been talking about it for quite some time as a result of the House of Worship Law.
- As you recall, I am sure it got back to the Planning Board because it got back to everyone else.
- At the time to do a Comprehensive Plan, the Village, the Planning Board, Mr. Levine, also talked about when we are going to do it, the Board of Trustees was having a hard time doing the whole picture.
- The Village, the ten years Trustee Valentine and I were on the Planning Board,
- When I became Mayor and I started talking with my colloquies on the Board, and again, the respective Boards were saying, "when are we going to start addressing the Comprehensive Plan"?
- I got the interpretation from being on the Planning Board and the Planner at the time, it was too big a job to do at once.
- I said, why don't we plan to do a piece at a time?
- So, the decision was we would do it in phases.

- Phase I - being Red Schoolhouse Corridor because that's really the face of the Village other than Chestnut Ridge Rd.
- As opposed to doing the whole Village, and it possibly being too much of an ordeal for everyone, let's do it a piece at a time.
- As they say, a good deed never goes unpunished, I said;
- Let's do the Corridor Study; but then as we were doing the House of Worship, and more folks were very engaged in the need for wanting to address a Comprehensive Plan and in speaking with my colloquies on the Board, we said, you know what, we might as well do it then.
- In speaking with the Planner, the fact that he now that he has raw data on the Red Schoolhouse Corridor it may not take as long.
- People threw around he could do it in eighteen months, a year.
- Every Village is different.
- My initial conversation with the Planner, it was not going to be a quick thing.
- Professionally, I've been involved with Master Plans, and they've taken a number of years
- In speaking with our current Planner, and after fact, he said, we probably could do the rest of the Village in a year.
- As the budget is approaching, let's get us a proposal so we can appropriate the funds to do it.
- The whole idea was, initially, it was too big a job for everyone to have to do, so we said, let's do a little piece of it.
- We have no issues when people come and give us suggestions.
- As a result of everyone being so engaged, and interested in the process, we said, o.k. let's do the whole thing then.

- Phase II – would have been Chestnut Ridge Rd., Phase III, Dexter Park, Phase IV – would have been the remaining part of the Village; and we would have done a little bit at a time.
- After four years the whole Village would have been done.
- We are going to try to do it all together now, and that’s what we are going to try to do.
- My hope is we can do it in a year.

Jeff Wasserman – 365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- When exactly did this change of heart come; because you’ve been pretty adamant and out spoken about it?
- I’m in favor of a Comprehensive Plan.

Mayor Presti:

- About three weeks.

Trustee Valentine:

- Good government is interpreting data and Court decisions; and making proper decision making.
- What we used was not exaggerations, not any kind of fear, but what’s in the best interest in the community here in Chestnut Ridge?
- I want to ask the Village Attorney to describe to us what a Comprehensive Plan is and what it isn’t; so, everyone is clear in what a Comprehensive Master Plan can and cannot do.

Attorney Sevastian:

- A Comprehensive Master Plan is sort of a vision document; what’s going to happen for the future of the Village and the future development of a Village.

- There are two things under the law that are considered Comprehensive Plans; one is a statutorily adopted Comprehensive Master Plan, which we are talking about tonight.
- That requires certain bench marks and public input and content moving forward to formulate a separate document that's separate from your Zoning Code, typically after a Comprehensive Plan is developed, that vision document for what's going to happen for the future development of the Village your Zoning Code is updated to comply with the Comprehensive Master Plan. and there's the Zoning Code itself.
- Many municipalities don't have a formal Comprehensive Master Plan, a statutorily adopted Master Plan.
- What the courts consider the Comprehensive Master Plan to be or your vision for the development of the Village is your Zoning code; and that's what exists in the Village of Chestnut Ridge in my opinion.
- You have a Zoning code which controls uses and dimensions within your Village which is a vision for what your Village is going to develop.
- I think what the Mayor was referring to in phases was more a product of the fact you have a residentially developed Village in most areas; and you have the two main commercial corridors.
- So, it made sense when this was being discussed to hit the two main corridor areas, because those are the ones potentially, from a development standpoint, that could have really big changes and a vision would be helpful there going forward and maybe even changing zoning to adjust that Village.
- A Comprehensive Master Plan in looking at developed residential areas is probably not going to change much; this is a developed residential area and this is what we want it to provide.

- When you have a Comprehensive Master Plan in place, if you're going to change your zoning it has to comply with the content/vision you've adopted.
- If your Zoning Code is your Comprehensive Master Plan, then if you're going to change your zoning it's either going has to be Legislature Act or someone is going to go to Zoning Board of Appeals; that's essentially the difference.
- You don't want the Zoning Board of Appeals to be Legislature.
- You can sometimes interact in zoning board decisions; identify areas where issues are arising with the way your code is drafted, if the same applications are over and over, but that's a different story.

Jeff Wasserman -365 S. Pascack Rd., Chestnut Ridge, NY 10977:

- As Mr. Shaut mentioned it can certainly afford certain protections; a Comprehensive Plans offers certain protections to the Village.
- Who will be the lead agency; the Village Board would take on or the Planning Board?

Mayor Presti:

- Normally the Village Board but we would do the same thing we did for the Red Schoolhouse Corridor; we would ask for input from the Planning Department.

Chris Mallory – 7 Imperial Lane, Chestnut Ridge, NY 10977:

- I've attended the last public forums regarding the Zoning changes in Chestnut Ridge.
- I am a retired Environmental Manager of some forty years; safe to say I've devoted my professional life to protecting and improving the environment for this and other future generations.
- Because of work I have done previously, I discovered that we live in area of air quality of non-compliance.

- Your own SEQRA filing has identified additional traffic as a result of your Zoning change; with additional traffic, comes additional air pollution and further degrades the environmental quality of the Village.
- Therefore, the answer to part II – question VI -you state “yes”, or you state “no”, where the answer is, “yes”.
- Stated the right to free speech, free exercise of religion is also not absolute; gave examples.
- Your recent proposal to allow blanket variances for so- called residential places of worship is of the same kind; instead of furthering freedom of religion.
- Your proposed amendment to the Zoning code is encouragement of the de facto establishment of one sect.
- I am not a lawyer, but believed it’s quite possible a law suit on this ground is probable.
- Residents of Chestnut Ridge formed a Village, because of Ramapo’s policy of allowing the over development of a town.
- We established, at that time, the character of the community, in which homeowners and tax papers choose to live.
- Across from 312 Highland Avenue, 1 Perth Avenue, cars parked along the street, which is very reminiscent of parking in New York City.
- Sincerely hope and clarify those things and reconsider the Zoning Change.

Attorney Sevastian:

- The SEQRA review of the Zoning text amendment is a hard thing to do; there’s is no projects proposed by it.
- What the Planner tried to do in developing the answers in conjunction with part II and Part III was to project what could

happen, understanding that when an application is made under this new law there will be a site specific SEQRA analysis done by the Planning Board when they consider a Conditional Use Permit.

- It's impossible to know site by site every property in the Village what the impact could be of an application under the law.
- Part III, they talk about reasonable worse-case scenario, and the other night some people commenting how could you go look at another Village, it what's going to happen in Chestnut Ridge.
- I think you have to do that; we call it a Gap analysis.
- You have to look at what we have now; what this law says; what is a reasonable scenario that could develop under that law?
- Look at the difference between the two and make a SEQRA determination based upon that understanding that there's going to be environmental review when each application is made a new under the new law.
- You hope that the detail in the new law, if it passes the Village Board, would at least have some teeth in terms of dimensional requirements, in bulk, in lighting, in protection and balancing those things with religious land uses is never easy.

Mayor Presti:

- As a foot note to that, every application that goes before the Planning Board/and or the Zoning Board is going to be unique and they are going to have to go through the specific vetting process for that particular Board; how's it going to be affecting traffic, how's it going to be affecting lighting, how's it going to be affecting drainage.
- Every application, that goes before the Board, they are not going to be blanket variances, they are going to be conditional permits; a

permit means you have to meet certain criteria, before it will be given to you.

- It is not automatic; because you file the application, doesn't mean at the end of the day, you will get a signed permit.
- You will still have to go before the Planning Board; possibly before the Zoning Board and the respective Boards will do their job to properly vet the application.
- I am confident that the individuals on the Village Boards are able to understand what will be a law.
- If they do not understand, they have access to the most able council to help them interpret it.
- So, I am extremely confident the Boards should not be running afoul of the law, because they have been conscientious to date, and I have no reason why to believe they won't after.
- As I said, if they have any questions, they have most able counsel to help them.

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

- I think I heard a comment made in reference to a comment I made; with respect to Airmont; what I did say was Airmont's Comprehensive Plan, they created a worse-case scenario to determine the impact on the environment.
- What Chestnut Ridge did when you made reference to how do you figure out the impact on the environment, the SEQRA does not indicate worse-case scenario was taken into consideration.
- The way Chestnut Ridge did it, made reference to how to you figure out the impact on the environment.
- The SEQRA does not indicate in the document worse-case scenario to determine impact on the environment.
- That's the difference; I wasn't comparing.

- Airmont did this, so Chestnut Ridge is better at it or worse at it.
- Given the fact that Chestnut Ridge looked at Airmont and looked at their plan, looked at the Zoning law, my question became how did they come up with that law?

Mayor Presti:

- It's actually the other way around, they looked at ours.
- They have the same Planner.

Attorney Sevastian:

Same guy wrote it; a similar one.

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

- They have a Comprehensive Plan that they've been working on.
- As part of their worst- case scenario one question they asked is if every single lot had a house on it?
- They looked at how many lots were left, they added that up, they figured how many people; what would the percent increase be?
- In the end they concluded ex number of houses, and ex number of people and the potential possibility of some of these houses becoming gathering places, etc.; will there be an impact on the environment; the answer was yes, why?
- That's when they started looking at Storm Water Drainage, Impervious surfaces, etc. etc. and as a result of them looking at that, they concluded, it will have an impact on public water, private water, and the water that we use, Suez water because some of that water does drain into the Suez water supply and we need to do our job to prevent or minimize the quality and quantity of water.
- They put certain conditions in the Comprehensive Plan with regard to if you are going to create impervious surfaces, this is how the water has drain.

- Based on that foundation, so they have a document that has criteria standards, quality control.
- Like you said, they have now amended their Zoning laws to support that; so, they have built in redundancy.
- They have a plan that protects the environment; so, they answered, yes, we answered no.
- Impact on surface water, we said no, they said, yes.
- Impact on ground water, we said no, they said, yes.; that's the difference.
- What did we do to ask that question; we took parts of what they did.
- We did say "o.k., let's look at how many houses can be developed?"
- We came up with 1,000, they had 600.
- Then we said, "out of this how many people could develop houses of worship?"
- Airmont has fourteen, Wesley Hills has thirteen; so, we are kind of the same as they are, so we're probably only going to have fourteen.
- What it appears to me on the outside, looking at it, this part of the package, we're o.k. this part fits what we want to do, this part doesn't fit our narrative, this part doesn't fit our narrative, so we are not going to include that piece.
- So, the Planner looked at it, 1,000 homes, we are going to have only fourteen Houses of Worship so, therefore, there's not going to be any impact.
- The rational, logic and the deduction is not there.

Attorney Sevastian:

- I didn't remember that you commented on that.

**Steven Dykstria – 1003 Chestnut Ridge Rd., Chestnut Ridge, NY
10977:**

- It's an environmental issue; in 2015 I just refinished my shed, exterior walls.
- The winter of 2015, 2016, 20 17 and this year also, I've noticed a lot of white powdery material building up on the outside of my garage.
- I finally figured out it's coming from the white lines coming off of the street before it gets icy and snows.
- My house is about ninety feet from the street, and my garage is behind my house another 75 feet; quite a big distance away.
- We are breathing that; it's coming off the street.
- If you drive up the N.Y.S. Thruway, you'll see the highways are all white.
- It's getting into our water supply; is it safe to drink?
- I just read Rockland County is agreeing with the Environmental Agency in regard to toxic pesticides, or herbicides, so there is a big restriction here; the round up is being restricted that is sold in big box stores.
- It looks like flour on the side of my garage; it's either calcium chloride or sodium chloride; a perfectly brand-new wall.
- When it rains, it washes off.
- Every time around this time it gets on the wall.
- When you're driving down the road, it comes up in the air.
- Another health concern; not sure this should be on our highways.
- Keep in the back of your mind; I don't know if this should be on our highways.
- This issue is going to affect everybody; people not going to work, elderly people, children especially.

- I never realized what this was until I saw the repetitive pattern when they put it on the highway.
- Everyone's having issues these days; health problems.

Mayor Presti:

- It's a point well taken.
- It's not adverse affluence, it's definitely the brim or whatever the case may be.
- It would scare me too, if I saw that.
- Perhaps sharing that with Town of Ramapo, Rockland; they may have the science.

Trustee Valentine:

- Bring it to the County Legislature; that is very scary.

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

- Did you ever poll the Board on my suggestion regarding re-opening the public hearing?

Mayor Presti:

- Trustee Cohen – No
- Trustee Van Alstyne – we've been doing this for a year; I think we're far enough.
- Deputy Mayor Valentine – I don't see why we need to open the Public Hearing.
- Mayor Presti – No.

Marc Levine:

- Discussion closed.
- Living here in Rockland for sixty-five years; we are getting a tremendous amount of homes being converted to two-family homes in our Village.

- I think on my street, at the present time, there are at least two or three on a small street.
- I see advertisements for rentals in certain magazines.
- I just want to make you aware of it.

Trustee Cohen:

- I know several years ago, there was an advertisement on your street; we took the advertisement to Code Enforcement and it was removed.
- Have you sent in a complaint to the Building Department?
- It could be that particular house is reinstating what they had before.
- If they are advertising, we would have a much easier case than having our Code Enforcement stand outside.

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

- They are dividing their homes in half.
- Years ago, people would advertise with their address; now they've gotten smarter.
- We have a Rental Registry; how many homes are in the Rental Registry.
- I'm constantly noticing as houses are sold; they are for rent.

Hal Sherman – 8 Pine Knoll Ct., Chestnut Ridge, NY 10977:

- 24 Pine Knoll Ct., is legally listed as a two-family home; somewhere along the line it became legalized, 2006.
- They have a limousine service.
- I've complained a number of times.

Trustee Cohen:

- That doesn't make it legal.

Attorney Sevastian:

- Sometimes the tax assessor drives around.

Mike Sandak - 18 Blue Jay Street, Chestnut Ridge, NY 10977:

- Garbage cans left on street; cardboard not collapsed; what can we do; we don't want to look like Monsey.

Mayor Presti:

- When folks move into the Village, they get a little welcome packet.
- When we see trash cans at the curb, cardboard, whatever the case may be, our Code Enforcement guys stop and leave a note.
- We are aware and we are trying to do it in a good, neighborly way.

Trustee Cohen:

- The fact that we pick up cardboard every week has made a big difference.

Joel Friedman – 6 Amber Ridge Rd., Chestnut Ridge, NY 10977:

- Questioned house sharing.

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

- Questioned when a law suit is filed, is it necessarily followed up being served.

Mayor Presti:

- Just because you file a law suit doesn't mean you have to serve it on the party.
- You will sometimes file to preserve a right; in the event that things do not go, perhaps, as you anticipate them going.
- So, you don't have to go the Court House steps later on.
- You will file for (lack of a better description) as a preventative action; but it will not get served until you are really ready to pull the trigger.

- There is a certain deadline in which they would have to serve once it's filed.
- There is a certain period of time within which they would have to serve it.
- Let's say it's thirty days and they don't serve it within thirty days, then, technically, it would probably be withdrawn without prejudice and then they would re-file it and possibly serve it.

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

- It can be used to send a certain signal.

Mayor Presti:

- I don't troll the Federal docket; there are some attorneys who do that because it's part of their job and they have to see what's being filed so they're aware and they don't blow time lines.
- As a Village we don't do that.
- Obviously, our Village Attorney is going to go and track it down and see what's going on.

Chris Mallery – 7 Imperial Lane, Chestnut Ridge, NY 10977:

- If this document is incorrect, do you intend to change it and if so when?

Mayor Presti:

- We will address it with our Planner.

Motion to Close the Public portion of the Meeting.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

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

Motion to Adjourn:

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

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

MEETING ADJOURNED: 9:28 P.M.

Respectfully submitted,

Florence A. Mandel

Village Clerk

Recording Secretary

Motion to Close the OPEN FLOOR PUBLIC DISCUSSION.

MOTION: Trustee Cohen

SECOND: Deputy Mayor Valentine

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

Motion to Close the Village Board Meeting and Go into Executive Session>

MOTION: Trustee Cohen

SECOND: Trustee Van Alstyne

The Board was polled 4-0 to Close the Village Board Meeting.

MEETING ADJOURNED:

Respectfully submitted,

Florence A. Mandel

Village Clerk

Recording Secretary

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9. Resolution No. 2019-5 - Resolution designating the vestibule at Village Hall and the Village Meeting Room as the official location for posting notices for the Village of Chestnut Ridge.
10. Resolution No. 2019-6 - Resolution providing that there will not be a Village Registration day (Election Law 15-118(3)).
11. Resolution No. 2019-7 - Resolution appointing Village Election Inspectors (Election Law 15-116(2)).
12. Resolution No. 2019-8 - Resolution to approve PAR Pharmaceutical tax certiorari for the years 2016, 2017 and 2018 (\$7,866.72).
13. Resolution No. 2019-9 - Resolution approving Abstract of Audited Claims.
14. Open Floor: Public Discussion.
15. Executive Session – Personnel/Pending Litigation.
16. Motion to Adjourn.

1. **Resolution No. 2019-1** Resolution authorizing a contract for Dog Control services with the Town of Ramapo at a rate of \$45.00 per hour:

RESOLVED that the contract with the town of Ramapo for Dog Control services for the period of January 1, 2019 through December 31, 2019 at a rate of \$45.00 per hour is hereby approved, and be it further

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

2. **Resolution No. 2019-2** Resolution authorizing a contract for Fueling services with the Town of Ramapo:

RESOLVED that the contract with the town of Ramapo for fueling services at a cost exempt of taxes for the period of January 1, 2019 through December 31, 2019 is hereby approved, and be it further

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

3. **Resolution No. 2019-3** Resolution approving Highway Maintenance Agreement with the Town of Ramapo (\$505,000.00).

RESOLVED that the contract with the town of Ramapo for Highway services for the period of January 1, 2019 through December 31, 2019 at a cost not to exceed \$505,000.00 is hereby approved, and be it further

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

4. **Resolution No. 2019-4** Resolution to notice dates and times of regularly scheduled Village meetings for the calendar year 2019:

RESOLVED that the Village Clerk is authorized to transmit the 2019 meeting dates for the Village Board, Planning Board, Zoning Board, CDRC, and Architectural Review Board to the Rockland Journal News for publication.

5. **Resolution No. 2019-5** Resolution designating official posting notice locations for the Village of Chestnut Ridge:

RESOLVED that the vestibule at Village Hall and the Village Meeting Room are the official location for posting notices for the Village of Chestnut Ridge.

6. **Resolution No. 2019-6** Resolution providing that there will not be a Village Registration Day (Election Law 15-118(3)):

RESOLVED, that the Village of Chestnut Ridge will not be holding a Registration day(s) for the 2019 Village Election.

7. **Resolution No. 2019-7** Resolution appointing Village Election Inspectors (Election Law 15-116(2)):

RESOLVED, that the following persons are hereby appointed as Inspectors for the General Village Election to be held on March 19, 2019:

- | | |
|--------------------------------------|-------------------|
| 1. Alan Rubin Chairperson
Capponi | 2. Yvonne |
| 3. Etta Elaine Taylor | 4. Susan Gordon |
| 5. Ellie M. Lowrey | 6. Louise Jenkins |

8. **Resolution No. 2019-8:**

Resolution to approve payment of \$7,866.72 in a tax certiorari settlement on tax parcels 63.17-1-

5, and 63.17-1-8 (PAR Pharmecutical).

RESOLVED, that pursuant to Court Order in a tax certiorari proceeding, the sum of \$7,866.72 is hereby authorized to be refunded to PAR Pharmaceutical, the owner of Ramapo tax lots 63.17-1-5, and 63.17-1-8.

9. Resolution No. 2019-9:

RESOLVED, that General Fund Claims set forth on pages 1 through ___ in the aggregate amount of \$ _____ as set forth on Abstract No. 2019-1 dated _____, as submitted by the Village Treasurer, are hereby approved.