

**MINUTES OF THE BOARD OF TRUSTEES**  
**VILLAGE OF CHESTNUT RIDGE**  
**JULY 18, 2019**

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The Board of Trustees of the Village of Chestnut Ridge convened in regular session on July 18, 2019 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

**PRESENT:**

<b>ROSARIO PRESTI, JR.</b>	-	<b>MAYOR</b>
<b>GRANT VALENTINE</b>	-	<b>DEPUTY MAYOR</b>
<b>HOWARD COHEN</b>	-	<b>TRUSTEE</b>
<b>RICHARD MILLER</b>	-	<b>TRUSTEE</b>
<b>PAUL VAN ALSTYNE</b>	-	<b>TRUSTEE</b>
<b>WALTER SEVASTIAN</b>	-	<b>VILLAGE ATTORNEY</b>
<b>FLORENCE MANDEL</b>	-	<b>VILLAGE CLERK RECORDING SECRETARY</b>

**1. Pledge of Allegiance.**

**2. Mayor's report.**

- Welcomed everyone.
- Picnic will be September 8<sup>th</sup>; in the midst of putting together event.
- Will use picnic for September to speak to the Mayor.
- Want to put rumors to rest.
- The Village is going to pass a law to prevent burials in one's backyard.
- The law that we were going to address would prevent, prohibit, **not permit**.
- I said this a meeting ago; **there was never an intention to permit it**.
- I thought I was making myself clear, but I will apologize, if for some reason, people got confused.
- I think, unfortunately, there were certain folks out there who were looking to stir the pot on a non-issue, "fake news"; it hurts all.

**Attorney Sevastian:**

- The reason why it's not ready to move forward more quickly than it is, is because, the more I dove into it, I realize, it's like most things, things can be more complicated than it seems on its' face.
- There are provisions of the NYS Sanitary Code that I have to deal with.
- There are provisions of the NYS Penal law; that come into play and are relevant.
- Rockland County has no regulation as far as I can tell on the County Law.
- I'm working on it, and it will be done sooner rather than later.
- I apologize to the Board.
- I should have had it done.

**Trustee Cohen:**

- Are there any municipalities that prohibit it?

**Attorney Sevastian:**

- Not in Rockland; not that I can tell.
- It's very unusual.
- As you go further upstate, it may be what the law is, the law is.
- There is a lot of open space.
- It may not be as big of an issue.
- I can't see anything on the local level.
- There's actually a New York State, Board of cemeteries, who is actually a pretty powerful organization.
- It will be interesting to see what, if anything, they have to say.

**Deputy Mayor Grant:**

- I appreciate you taking your time and doing the research to get this right.
- We need to make sure we do the right thing for the people.

**Mayor Presti:**

- As we have always done in the past, the proper procedures will be followed.
- We are not looking to take any express route, in passing a law.
- The Village has been accused of trying to circumvent the GML, the General Municipal Law; I was offended by that.
- It was apparently, fait accompli, that the Village was going with this.
- As far as the GML is concerned, we've never flouted that law; we have no intention of beginning to flout that law.
- We will send it to the appropriate agencies when it is right, and we will do just that.
- It wasn't right to do it at this juncture.
- We didn't even have a hearing yet; you have to STOP with the rumors and innuendoes.
- I understand, folks, have a distrust for government and I respect that.
- We are all in this together, you kind of have to take a breath before you start believing everything you hear.

**Attorney Sevastian:**

- I realize things are more complicated; provisions of the NYS penal law; that come into play and are relevant.
- Rockland County has no regulation on it on a County Law.

**Mayor Presti:**

- No issue Counsel.
- I'm just disturbed by the rumors; that folks were doing that.
- But be that as it may, hopefully we put that to bed.

### **3. Open Floor; public discussion of Agenda Items only.**

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

- The initial text of the law that indicated some rules; it could be a Planning Board process, if you're not a cemetery.
- You think there still might be a role for a Planning Board process?

**Attorney Sevastian:**

- I think there might be a role for a Planning Board process, because no matter what you put in your code, you could seek a variance from it.
- If someone were to obtain a variance, I think it would be a good idea to have the Planning Board involved, so, if there is access to water, someone has a well, a water source, NYS Sanitary Code, it would be good for the Planning Board to see how it would not be compromised; we will have to hash it out.
- In the event that someone goes forward with this plan or a plan, it would be nice to have the Planning Board involved.

**Jerry Liebelson:**

- At the June meeting, you mentioned there was some event that materialized this.

**Mayor Presti:**

- The founding Imam of the Mosque had passed away, and they asked to bury him on the property of the Mosque.
- They said you don't have a law that prevents it.
- We would appreciate you bury him in a cemetery.
- Thank you very much, we respectfully decline.
- They buried him in the back yard.
- It happened in the dead of winter.

**Motion to Close the Open Floor Public Discussion.**

**MOTION: Deputy Mayor Valentine**

**SECOND: Trustee Cohen**

**The Board was polled and voted 5-0 to Close the Open Floor Public Discussion.**

**4. Approval of Minutes of Previous Meeting, June 20, 2019.**

**MOTION: Trustee Cohen**

**SECOND: Trustee Van Alstyne**

**Note for the record: Trustee Miller will be abstaining as he was not in attendance.**

**The Board was polled and voted 4-0 to Approve the Minutes of June 30, 2019.**

**5. Resolution No. 2019-61:**

Motion to adjourn scheduling of Village Zoning Code regulating the burial of human remains in the Village of Chestnut Ridge for a new date to be announced.

RESOLVED that the Public Hearing on a Local Law regulating the burial of human remains the Village of Chestnut Ridge is adjourned to provide the Village Attorney with additional time to research the issue.

**MOTION: Trustee Miller**

**SECOND: Deputy Mayor Valentine**

**The Board was polled and voted 5-0 to Approve Resolutions No. 2019-61.**

**6. Public Hearing for July at 8:00 on a local law to amend the Village Code regarding regulating filming in the Village of Chestnut Ridge.**

**Joanne Mallery – 7 Imperial Lane, Chestnut Ridge, New York 10977:**

- Exception in here for Educational film; was wondering how this would affect students; would they have to apply for a permit, insurance in place, fees?
- Could you write something into it?

**Mayor Presti:**

- **If it's a student run filming that's not a production along the lines of a major movie production.**
- **That's not in the confines of this law, not a money-making project,**
- **Attorney can come up with something that will be able to address that.**
- **We can adjourn the public meeting until August 15<sup>th</sup>.**

**Motion To Adjourn the Public Hearing to August 15<sup>th</sup>.**  
**Discussion on the Motion.**

**MOTION: Cohen**

**SECOND: Van Alstyne**

**The Board was polled and voted 5-0 to Close the Public Hearing.**

**Resolution No. 2019-62: to make SEQRA Determination of Significance and approving Local Law**

Resolution to adopt Local Law #2 of 2019, to amend the Village Code of the Village of Chestnut Ridge to adopt a new chapter entitled "Filming Regulations for the Village of Chestnut Ridge" relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, the Village Board of the Village of Chestnut Ridge has noticed a Public Hearing with regard to the adoption of a new chapter entitled "Filming Regulations for the Village of Chestnut Ridge" relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, a Public Hearings on the adoption of these proposed amendments to the Village Code was held on July 18, 2019;

WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Law 7-706(1);

WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed local law and find as follows:

That the proposed Village Code amendment was preliminary classified as a "Type II" action constituting the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)).

That it was the intention of the Village Board of Trustees to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA);

**THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions

of the State Environmental Quality Review Act (SEQRA), and makes the following findings under NYCRR §617.7[c] with respect to the impact of the of the proposed amendment to the Village Code and its magnitude:

a. That the proposed amendment to the Village Code constitutes the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)), and therefore constitutes a Type II Action under SEQRA, and that no further action is required under SEQRA. Specifically, the requirement to conduct a filming project in the Village of Chestnut Ridge has no effect on the environment if the regulations promulgated hereunder are complied with.

**BE IT FURTHER RESOLVED**, that adoption of a new local law, entitled “Filming Regulation for the Village of Chestnut Ridge are hereby approved as drafted, including the changes made after the February 22, 2018 Public Hearing.

**Proposed Local Law:**

Local Law # \_\_\_\_\_ of 2019 **Filming** Regulations for the Village of Chestnut Ridge.

Chapter \_\_\_\_\_ **Filming**

§ \_\_\_\_\_ **Definitions.**

§ \_\_\_\_\_ **Permit required; limitations; fee.**

§ \_\_\_\_\_ **Issuance of permits.**

§ \_\_\_\_\_ **Fees and reimbursement of costs.**

§ \_\_\_\_\_ **Rules and regulations.**

§ \_\_\_\_\_ **Violations and penalties; enforcement.**

§ \_\_\_\_\_ **Exemptions.**

§ \_\_\_\_\_ **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**FILMING**

The taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in video games, on cable television, or in theatres or for institutional use, including the use of any public lands to

facilitate same. Filming shall include setup and breakdown time. Filming of news stories within the Village of Chestnut Ridge shall not be subject to the provisions of this chapter.

### **MAJOR MOTION PICTURE**

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to Universal Pictures, Warner Brothers (including New Line Cinema), Castle Rock Entertainment, Village Road Show and Bel-Aire, Paramount (including MTV Films and Nickelodeon Movie), 20th Century Fox (including Fox Searchlight), Sony/Columbia, Disney/Miramax, MGM/United Artists, and Dream works. The term "major motion picture" shall also include any film for which the budget is at least \$500,000; any recurrent weekly television series programming (such as for HBO, Showtime, Cinemax, Netflix, etc.), made for TV motion picture, any commercial, video game, or made for cable television movie.

### **PERSON**

An owner of property, or any applicant for a permit under this chapter.

### **PRIVATE LANDS**

All other areas within the Village of Chestnut Ridge, including areas zoned for residential as well as business use.

### **PUBLIC LANDS**

Any and every public building, street, highway, sidewalk or square, public park or playground, or other public place within the jurisdiction and control of the Village of Chestnut Ridge.

### **§-2 Permit required; limitations; fee.**

#### **A.**

No person shall film or permit filming within the Village of Chestnut Ridge without first obtaining permission from the Village Board of Trustees, and thereafter receiving a permit from the Village Clerk, which permit shall set forth the location of such filming, the date or dates when filming shall take place and such other information as may be required by the Village Board. No permit shall be issued in the absence of a fully completed application form. A permit shall be required for each location.

#### **B.**

No permit shall authorize filming for more than three consecutive days in any one location. Additionally, no filming shall take place at any one location within 30 days of an initial shoot, or in excess of six days in any one calendar year, regardless of the number of permits utilized

in reaching this maximum. Either or both of the limitations set forth in the subdivision may be extended only if the filming requested constitutes a major motion picture as defined in this chapter.

C.

Applications for permits shall be obtained in the office of the Village Clerk during normal business hours. Applications for such permits shall be in a form approved by the Board of Trustees and shall be accompanied by a permit fee of \$250.00 as hereinafter set forth.

D.

If a permit is issued and, due to inclement weather or other good cause, filming does not take place on the dates specified, the Village Clerk may, at the request of the applicant who shall certify that filming did not take place on the dates specified, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

§-3 Issuance of permits.

A.

No filming permits shall be issued by the Village of Chestnut Ridge unless applied for as follows:

(1)

Applications to film a major motion picture, as defined in this chapter, shall be submitted no less than 30 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

(2)

All other types of filming shall submit their application 14 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

B.

No filming permits shall be issued by the Village of Chestnut Ridge for filming on public lands unless the applicant submits the Village with satisfactory proof of the following:

(1)

Proof of insurance coverage, naming the Village of Chestnut Ridge as an additional insured, for bodily injury to any one person in the amount of \$500,000 and any occurrence in the



aggregate amount of \$1,000,000. Additionally, property damage coverage in an aggregate amount of no less than \$300,000.

**(2)**

An agreement, in writing, whereby the applicant agrees to defend, indemnify and hold the Village of Chestnut Ridge harmless from any and all liability, expense, claim or damages resulting from the use of public lands.

**(3)**

The posting of a \$2,500 cash security deposit, or \$2,500 maintenance bond running in favor of the Village of Chestnut Ridge protecting and insuring that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Village ordinances, laws, and rules or regulations will be followed. The Village will return the security deposit or maintenance bond within 21 days after the completion of the filming, provided that there has been no damage to public property or public expense caused by the filming. Monies to repair damage to public property or reimburse public expense may be deducted from the security deposit.

**(4)**

The hiring of a Ramapo police officer for the times indicated on the permit shall be mandatory in the event that the Village Board, or the Ramapo Police Department, in their discretion, determine that the presence of a police officer is required for the filming of a major motion picture as defined in this chapter. The permit holder shall comply with all lawful directives of the Ramapo police officer present for the filming, including but not limited to directives regarding the free passage of pedestrians and traffic over public lands, or to halt filming in the event of a violation of any provisions of this chapter. The Village reserves the right to require the applicant to hire an on-site police officer of the Ramapo Police Department in other filming applications, if, in the discretion of the Village, the proposed production may impede the proper flow of pedestrian or vehicular traffic.

**(5)**

The hiring of an on-site licensed electrician where existing electrical power lines are utilized by the applicant, or if the applicant does not have a licensed electrician on site.

**§ -4 Fees and reimbursement of costs.**

The schedule of fees for the issuance of permits authorized by this chapter is as follows, and shall be paid in advance of the issuance of a permit, in cash or by bank or certified check:

**A.**

Basic filming permit: \$250. Where an applicant requests a waiver of the notice provisions of §\_\_\_-3, the basic filming permit fee shall be \$500.

**B.**

The daily filming fee for a major motion picture as defined in this chapter shall be \$1,000 per day.

**C.**

The filming permit for nonprofit applicants filming for educational purposes (no daily rate is required) shall be \$100.

**D.**

In addition to any fees or costs mentioned in this chapter, the applicant shall reimburse the Village for any lost revenue, such as parking revenue, repairs to public property, or revenues the Village may be prevented from earning because of the filming.

**§-5 Rules and regulations.**

**A.**

The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Ramapo Police Department with respect thereto.

**B.**

The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands. All permit holders shall have a designated on-site contact person who shall be available via cell phone to address all inquiries by Village personnel for the duration of the filming.

**C.**

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for the removal of all equipment, debris and other rubbish from the filming location upon the completion of the filming or upon the expiration of the permit, whichever comes first.

**D.**

Filming shall be permitted only Monday through Friday between the hours of 7:00 a.m. to 10:00 p.m., except in the Commercial Zoning Districts in the Village where filming shall be permitted only Monday through Saturday 7:00 a.m. through 10:00 p.m. In this connection, the setup of equipment and vehicles and the breakdown of such equipment and vehicles at the end of the filming shall be accomplished within the permitted time period. Equipment and vehicles are permitted to arrive in the Village prior to 7:00 a.m., but in no event shall equipment be set up earlier than 7:00 a.m. on the day filming is permitted.

**E.**

The Village Clerk or the Board of Trustees may refuse to issue a permit whenever it is determined, on the basis of objective evidence after a review of the application and a report thereon from the Police Department and by any other applicable Village departments or agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of pedestrian and vehicular traffic or otherwise endanger the public health and welfare or unreasonably disturb the peace and tranquility of adjoining property owners.

**F.**

Any person aggrieved by a decision of the Village Clerk or the Board of Trustees granting, denying or revoking a permit or a person requesting relief pursuant to Subsection **E** may appeal in accordance with Article 78 of the Civil Practice Law and Rules. Any such appeal must be filed not later than 30 days after the decision of the Board.

**G.**

The Board of Trustees may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours and days herein described whenever it determines that such a permit may be issued without endangering the public health, safety and welfare and without unreasonably disturbing the peace and tranquility of the neighborhood where it is proposed to film. A public hearing shall be held for every application for a waiver. The Village Board shall fix the time and place and shall give written notification to abutting and adjacent property owners.

**§ -6 Violations and penalties; enforcement.**

Any person violating this chapter or the rules and regulations contained therein, shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 per day, and/or forfeiture of the

security deposit or maintenance bond posted in connection with the issuance of a filming permit. Where the owner of the premises is not an applicant, the owner and the applicant shall each be liable for violations of this chapter. As to private property, this chapter shall be enforced by the Building Inspector, and as to public property, this chapter shall be enforced by the Police Department. This chapter may also be enforced by direct action of the Board of Trustees. The following acts shall constitute prima facie violations of any filming permit:

A.

Unauthorized street closings.

B.

Illegal parking.

C.

The use of equipment and/or vehicles not disclosed on the application.

§-7 Exemptions.

The provisions of this chapter shall not apply to the filming of news stories by media personnel.

This Local Law shall be effective immediately upon filing with the Secretary of State.

**\* NOTE: ABOVE LOCAL LAW NOT PASSED AS YET. PUBLIC HEARING ADJOURNED TO NEXT VILLAGE BOARD MEETING OF AUGUST 15, 2019.**

7. **Resolution N. 2019-63** – Resolution to ratify renewal of Village’s Insurance coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499.00 annually.

**RESOLVED**, that the renewal of the Village’s Insurance Coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499 annually is hereby ratified and approved.

**MOTION: Deputy Mayor Valentine**

**SECOND: Trustee Van Alstyne**

**The Board was polled and voted 5-0 to Approve Resolution No. 2019-63.**

8. **Resolution No. 2019-64** – Resolution to authorize Mayor to execute NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

**Municipal Cooperation Resolution**

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Village of Chestnut Ridge wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Village of Chestnut Ridge wishes to assure the safety and liquidity of its funds;

THEREFORE BE IT RESOLVED that Village Mayor is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of Village of Chestnut Ridge.

BE IT FURTHER RESOLVED that the Village Treasurer is authorized to conduit transaction with NYCLASS on behalf of the Village of Chestnut Ridge in accord with the Village Board’s resolutions directing the same.

- **Mayor Presti: That’s so the Village can invest funds and generate a little more revenue.in a legal, low risk manner.**

**MOTION: Trustee Cohen**

**SECOND: Trustee Van Alstyne**

**The Board was polled and voted 5-0 to Approve Resolution No. 2019-64.**

**9. Resolution No. 2019-65 – Resolution approving Abstract of Audited Claims.**

**RESOLVED**, that General Fund Claims set forth on pages 1 through 3 in the aggregate amount of \$161,685.22 as set forth on Abstract No. 2018-7 dated July 18, 2019 as submitted by the Village Treasurer, are hereby approved.

**MOTION: Trustee Cohen**

**SECOND: Trustee Van Alstyne**

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

## **10. Open Floor: Public Discussion.**

### **Baruch Fedder – 32 Beckket Ct., Chestnut Ridge, New York 10977:**

- Wanted to make it clear for the record, “we, as religious Jews, or non-religious Jews don’t bury the deceased in backyards”.
- We say kaddish.
- Not a custom, get the record straight.

### **Trustee Miller:**

- The example that gave rise to this law, had to do with a major figure in a religion dying.
- It was his congregation that worshipped in this place.
- If there is a major synagogue somewhere, and a Rabbi for fifty years died?

### **Baruch Fedder – 32 Beckket Ct., Chestnut Ridge, New York 10977:**

- It could happen if there were a 20 - acre lot;
- I don’t think anyone here who has a 20- acre lot in Chestnut Ridge would make it a cemetery.
- It’s all about just making a big issue.

### **William Ballinger -3 Pamela Drive, Chestnut Ridge, NY 10977:**

- Commented about the grass along De Salvo Ct. from Red Schoolhouse Rd., to Midway on the Garden State Parkway South; it hasn’t been cut, obscuring speed limit sign.
- Would like to minimize insects; mosquitos, ticks which could breed in there.

### **Mayor Presti:**

- Through our maintenance agreement with Town of Ramapo, they may come out to do that.
- This roadway may be with the State.
- We will follow up.

### **Richard Cunningham -,10 Appledale Lane, Chestnut Ridge, New York 10977:**

- Any follow-up on eruv wire on Appledale and Wallace area; is a person allowed to put a private wire across a public highway?

### **Mayor Presti:**

- There is a process that is in place to address eruv; we are not permitted to prohibit the placement of an eruv
- The dimensions, exact placement, where it can be so that it does not affect negatively the surrounding areas; things of that nature.
- The process has begun, they’re working through Zoning enforcement and with the Village Attorney.

### **Richard Cunningham - 10 Appledale Lane, Chestnut Ridge, New York 10977:**

- Speeding – Appledate Lane?
- Police have run radar; police had run unmarked cars.
- Their recommendation is the speed limit be reduced.
- I will get a copy of the report.

- They are saying it's your responsibility; you can request the speed limit be reduced from thirty to twenty-five m.p.h.
- It's Sgt. Youngman; he was recently promoted to this position.
- When a House of Worship is taken off the tax rolls, who pays for the garbage collection?
- Corner of Appledale and Badger, 7 months, a large man-hole, my concern is for the children playing on the street.

**Mayor Presti:**

- I don't know who you spoke to at Ramapo P.D.
- My understanding is we don't have that kind of flexibility;
- I believe, with the State, the speed limit can't be any lower than 30 m.p.h.
- We have a dozen, possibly two dozen that are religious based tax exempts and we collect their garbage too.
- In addition, we have the Salvation Army, Edmond Gould had staff. Threefold, in addition to Green Meadow.

**Trustee Cohen:**

- Noticed more of a Police presence; cars pulled over and they're waiting on side streets and people's driveway.
- Could you tell us how many tickets have been written in the Village?

**Attorney Sevastian::**

- I've noticed a greater amount of speeding tickets.
- I do traffic cases on the second and third Wednesdays.
- Last Wednesday there were 103 cases, noticeable to me local speeding tickets, 30 m.p.h. zones.
- Judge Suarez is tough on them.
- Tells the same thing to everyone who gets a ticket; can't speed on the local roads,
- There are a lot of children playing.
- If you do speed, you're going to end up having a problem.
- You get to pay the Court and you get to pay your Insurance Company too.
- They don't accept reductions down.

**Mayor Presti:**

- The cries of us having to do something with the speed limit is not being disregarded.
- Unfortunately, when you don't have your own Police Department. and have to participate in a group, you don't always have the personnel that you would like to have.
- The Ramapo Police Department is keenly aware of the issues we have here.
- Reducing the speed limit to 25 m.p.h. is not such a bad thing, but we need to reduce speeding period.
- That just means they're doing 40 m.p.h. so now they're going to be doing 35 m.p.h.

**Motion to Close the Public Portion of the Meeting.**

**MOTION: Trustee Miller**

**SECOND: Trustee Van Alstyne**

The Board was polled and voted 5-0 to Close the Public Portion of the Meeting.

Mayor Presti:

Just a little addition; to my left Trustee Cohen has been a founding member of this Village and a true gentleman in everything he has done for this Village. Before it was a Village, as it was a Village; volunteering his time, his expertise, his family time to the Village and the fact that he put so much of his life and the hours and hours that were invaluable to this Village, mere words cannot express the thanks and appreciation for all that he has done. Like any good thing, eventually one decides they are going to hang up their Jersey. Not that we are pushing Trustee Cohen out the door, but he's coming close to and made it known that the time has come for him to hang up that Jersey. While we still have him here to show our appreciation.

On behalf of the Village of Chestnut Ridge I would like to read the following:

**THIS AWARD OF RECOGNITION & DEDICATION IS AWARDED TO**

**HOWARD L COHEN, TRUSTEE  
VILLAGE OF CHESTNUT RIDGE**

This is to certify that you are hereby being recognized for your outstanding public service, performance and high level of contribution and dedication along with optimum gratitude for your dedicated service to the community and to the citizens of Chestnut Ridge; for your selfless team support and accomplishments. Your outstanding abilities and dedication of service have been a source of pride to everyone for over thirty-five years of dedicated leadership and service.

*Doing ordinary things in an extraordinary way will assure you of extraordinary success.*

The Board of Trustees and I wish to extend our gratitude and thanks to you for your many years of service to our community.

Rosario Presti, Jr. Mayor

Grant Valentine, Deputy Mayor



**Dated: July, 2019**

**Richard Miller, Trustee  
Paul Van Alstyne, Trustee**

**Trustee Cohen:**

**Thank you.**

**This is a speech and my resignation is effective tomorrow because I'm moving to Florida. It was a letter that was very hard to put on paper. I never expected to resign. I figured I would get voted out or carried out. I've been with the Village it's been a work of love and I've enjoyed the experience.**

**Even though it says I've done a lot for the Village, the Village has helped me as a person develop my abilities to speak and to take pride in the formation and the execution of this Village. I appreciate everything the Village and the residents have done for me.**

**There are people who worked with me and they deserve recognition.**

**Judge Suarez, he started off as Village Attorney and has been a Judge of a long time.**

**Allan Rubin and Marc Levine and they are still working diligently to fill the village vision we have started out with.**

**And, one other person you see only once a year; Marvin Nyman, he helped us form the Village from a financial standpoint. He's been the financial oversea of our Village and I'd like to thank them as well and they deserve as much recognition as I just got.**

**I'm very pleased to accept this.**

**The staff, our Village Clerk and Village Treasurer oversee a very good office and our employees are very dedicated and we could not do what we do without them. So, thank you very much, everyone.**

- **Deputy Mayor Grant:**  
Howie, thank you. It is truly, with a heavy heart, I say, farewell, too. I extend my personal thanks and appreciation for a grateful community for your contributions to Chestnut Ridge. Your commitment, dedication, contributions have an inspiration for all of us and I thank you for that. You have shown the residents of Chestnut Ridge by example to live with love, honor and respect. Thank you for your honorable example as Trustee of Chestnut Ridge and I thank you for that. All the best to you.
  
- **Trustee Miller:**  
Howie, you trained me on the Zoning Board. We go back a long way. Congratulations and I wish you the best in the future. Enjoy your new residence. Enjoy the heat.
  
- **Mayor Presti:**  
Just to add, Howard has been a true friend, not only to the Village but to me. Having first met Howard when I was on the Planning Board and then I became a Trustee and then as Mayor. If I had all of the background and knowledge that Howard has forgotten I would have a lot. I would have a lot. His patience, his fortitude, his friendship and his ability to provide very wise counsel when in need was always appreciated and continues to be appreciated. So, Howard, again, on behalf of the Village and on behalf of the Trustees, on behalf of the 8,300 people here in the Village of Chestnut Ridge, we thank you.

**Motion to Adjourn the Meeting and Go into Executive Session.:**

Executive Session – Pending Litigation: Dupuy v. Village of Chestnut Ridge (Fair Housing Complaint); OJC v. Village of Chestnut Ridge (Federal Ct. Action); Kogut et. al v. Chestnut Ridge (Article 78 Proceeding); Kogut/CUPON v. Chestnut Ridge (Federal Ct. Action).

**MOTION: Deputy Mayor Valentine**

**SECOND: Trustee Van Alstyne**

**The Board was polled and voted 5-0 to Adjourn the Meeting.**

**MEETING ADJOURNED: 8:40 P.M.**

Respectfully submitted:

Florence A. Mandel  
Village Clerk  
Recording Secretary

- 
- In addition, we have the Salvation Army, Edmond Gould had staff, Threefold, in addition to Green Meadow.

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**Resolutions:**

**1. Resolution No. 2019-61** Motion to adjourn scheduling of Village Zoning Code regulating the burial of human remains in the Village of Chestnut Ridge.

RESOLVED that the Public Hearing on a Local Law regulating the burial of human remains the Village of Chestnut Ridge is adjourned to provide the Village Attorney with additional time to research the issue.

**2. Resolution No. 2019-62**

Resolution to adopt Local Law #\_\_\_ of 2019, to amend the Village Code of the Village of Chestnut Ridge to adopt a new chapter entitled “Filming Regulations for the Village of Chestnut Ridge” relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, the Village Board of the Village of Chestnut Ridge has noticed a Public Hearing with regard to the adoption of a new chapter entitled “Filming Regulations for the Village of Chestnut Ridge” relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, a Public Hearings on the adoption of these proposed amendments to the Village Code was held on July 18, 2019;

WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Law 7-706(1);

WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed local law and find as follows:

That the proposed Village Code amendment was preliminary classified as a “Type II” action constituting the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)).

That it was the intention of the Village Board of Trustees to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA);

**THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and makes the following findings under NYCRR §617.7[c] with respect to the impact of the of the proposed amendment to the Village Code and its magnitude:

a. That the proposed amendment to the Village Code constitutes the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)), and therefore constitutes a Type II Action under SEQRA, and that no further action is required under SEQRA. Specifically, the requirement to conduct a filming project in the Village of Chestnut Ridge has no effect on the environment if the regulations promulgated hereunder are complied with.

**BE IT FURTHER RESOLVED**, that adoption of a new local law, entitled “Filming Regulation for the Village of Chestnut Ridge are hereby approved as drafted, including the changes made after the February 22, 2018 Public Hearing.

**Proposed Local Law:**

Local Law # \_\_\_\_\_ of 2019 **Filming** Regulations for the Village of Chestnut Ridge.

Chapter \_\_\_\_\_ **Filming**

§ \_\_\_\_\_ **Definitions.**

§ \_\_\_\_\_ **Permit required; limitations; fee.**

§ \_\_\_\_\_ **Issuance of permits.**

§ \_\_\_\_\_ **Fees and reimbursement of costs.**

§ \_\_\_\_\_ **Rules and regulations.**

§ \_\_\_\_\_ **Violations and penalties; enforcement.**

§ \_\_\_\_\_ **Exemptions.**

§ \_\_\_\_\_ **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**FILMING**

The taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in video games, on

cable television, or in theatres or for institutional use, including the use of any public lands to facilitate same. Filming shall include setup and breakdown time. Filming of news stories within the Village of Chestnut Ridge shall not be subject to the provisions of this chapter.

### **MAJOR MOTION PICTURE**

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to Universal Pictures, Warner Brothers (including New Line Cinema), Castle Rock Entertainment, Village Road Show and Bel-Aire, Paramount (including MTV Films and Nickelodeon Movie), 20th Century Fox (including Fox Searchlight), Sony/Columbia, Disney/Miramax, MGM/United Artists, and Dreamworks. The term "major motion picture" shall also include any film for which the budget is at least \$500,000; any recurrent weekly television series programming (such as for HBO, Showtime, Cinemax, Netflix, etc.), made for TV motion picture, any commercial, video game, or made for cable television movie.

### **PERSON**

An owner of property, or any applicant for a permit under this chapter.

### **PRIVATE LANDS**

All other areas within the Village of Chestnut Ridge, including areas zoned for residential as well as business use.

### **PUBLIC LANDS**

Any and every public building, street, highway, sidewalk or square, public park or playground, or other public place within the jurisdiction and control of the Village of Chestnut Ridge.

### **§ \_\_\_\_\_ -2 Permit required; limitations; fee.**

#### **A.**

No person shall film or permit filming within the Village of Chestnut Ridge without first obtaining permission from the Village Board of Trustees, and thereafter receiving a permit from the Village Clerk, which permit shall set forth the location of such filming, the date or dates when filming shall take place and such other information as may be required by the Village Board. No permit shall be issued in the absence of a fully completed application form. A permit shall be required for each location.

#### **B.**

No permit shall authorize filming for more than three consecutive days in any one location. Additionally, no filming shall take place at any one location within 30 days of an initial shoot, or in excess of six days in any one calendar year, regardless of the number of permits utilized in reaching this maximum. Either or both of the limitations set forth in the subdivision may be extended only if the filming requested constitutes a major motion picture as defined in this chapter.

C.

Applications for permits shall be obtained in the office of the Village Clerk during normal business hours. Applications for such permits shall be in a form approved by the Board of Trustees and shall be accompanied by a permit fee of \$250.00 as hereinafter set forth.

D.

If a permit is issued and, due to inclement weather or other good cause, filming does not take place on the dates specified, the Village Clerk may, at the request of the applicant who shall certify that filming did not take place on the dates specified, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

§ -3 Issuance of permits.

A.

No filming permits shall be issued by the Village of Chestnut Ridge unless applied for as follows:

(1)

Applications to film a major motion picture, as defined in this chapter, shall be submitted no less than 30 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

(2)

All other types of filming shall submit their application 14 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

B.

No filming permits shall be issued by the Village of Chestnut Ridge for filming on public lands unless the applicant submits the Village with satisfactory proof of the following:

(1)

Proof of insurance coverage, naming the Village of Chestnut Ridge as an additional insured, for bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000. Additionally, property damage coverage in an aggregate amount of no less than \$300,000.

(2)

An agreement, in writing, whereby the applicant agrees to defend, indemnify and hold the Village of Chestnut Ridge harmless from any and all liability, expense, claim or damages resulting from the use of public lands.

(3)

The posting of a \$2,500 cash security deposit, or \$2,500 maintenance bond running in favor of the Village of Chestnut Ridge protecting and insuring that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Village ordinances, laws, and rules or regulations will be followed. The Village will return the security deposit or maintenance bond within 21 days after the completion of the filming, provided that there has been no damage to public property or public expense caused by the filming. Monies to repair damage to public property or reimburse public expense may be deducted from the security deposit.

(4)

The hiring of a Ramapo police officer for the times indicated on the permit shall be mandatory in the event that the Village Board, or the Ramapo Police Department, in their discretion, determine that the presence of a police officer is required for the filming of a major motion picture as defined in this chapter. The permit holder shall comply with all lawful directives of the Ramapo police officer present for the filming, including but not limited to directives regarding the free passage of pedestrians and traffic over public lands, or to halt filming in the event of a violation of any provisions of this chapter. The Village reserves the right to require the applicant to hire an on-site police officer of the Ramapo Police Department in other filming applications, if, in the discretion of the Village, the proposed production may impede the proper flow of pedestrian or vehicular traffic.

(5)

The hiring of an on-site licensed electrician where existing electrical power lines are utilized by the applicant, or if the applicant does not have a licensed electrician on site.

§ -4 Fees and reimbursement of costs.



The schedule of fees for the issuance of permits authorized by this chapter is as follows, and shall be paid in advance of the issuance of a permit, in cash or by bank or certified check:

**A.**

Basic filming permit: \$250. Where an applicant requests a waiver of the notice provisions of § \_\_\_-3, the basic filming permit fee shall be \$500.

**B.**

The daily filming fee for a major motion picture as defined in this chapter shall be \$1,000 per day.

**C.**

The filming permit for nonprofit applicants filming for educational purposes (no daily rate is required) shall be \$100.

**D.**

In addition to any fees or costs mentioned in this chapter, the applicant shall reimburse the Village for any lost revenue, such as parking revenue, repairs to public property, or revenues the Village may be prevented from earning because of the filming.

**§ \_\_\_\_\_-5 Rules and regulations.**

**A.**

The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Ramapo Police Department with respect thereto.

**B.**

The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands. All permit holders shall have a designated on-site contact person who shall be available via cell phone to address all inquiries by Village personnel for the duration of the filming.

**C.**

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for the removal of all equipment, debris and other rubbish from the filming location upon the completion of the filming or upon the expiration of the permit, whichever comes first.

**D.**

Filming shall be permitted only Monday through Friday between the hours of 7:00 a.m. to 10:00 p.m., except in the Commercial Zoning Districts in the Village where filming shall be permitted only Monday through Saturday 7:00 a.m. through 10:00 p.m. In this connection, the setup of equipment and vehicles and the breakdown of such equipment and vehicles at the end of the filming shall be accomplished within the permitted time period. Equipment and vehicles are permitted to arrive in the Village prior to 7:00 a.m., but in no event shall equipment be set up earlier than 7:00 a.m. on the day filming is permitted.

**E.**

The Village Clerk or the Board of Trustees may refuse to issue a permit whenever it is determined, on the basis of objective evidence after a review of the application and a report thereon from the Police Department and by any other applicable Village departments or agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of pedestrian and vehicular traffic or otherwise endanger the public health and welfare or unreasonably disturb the peace and tranquility of adjoining property owners.

**F.**

Any person aggrieved by a decision of the Village Clerk or the Board of Trustees granting, denying or revoking a permit or a person requesting relief pursuant to Subsection **E** may appeal in accordance with Article 78 of the Civil Practice Law and Rules. Any such appeal must be filed not later than 30 days after the decision of the Board.

**G.**

The Board of Trustees may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours and days herein described whenever it determines that such a permit may be issued without endangering the public health, safety and welfare and without unreasonably disturbing the peace and tranquility of the neighborhood where it is proposed to film. A public hearing shall be held for every application

for a waiver. The Village Board shall fix the time and place and shall give written notification to abutting and adjacent property owners.

§ -6 Violations and penalties; enforcement.

Any person violating this chapter or the rules and regulations contained therein, shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 per day, and/or forfeiture of the security deposit or maintenance bond posted in connection with the issuance of a filming permit. Where the owner of the premises is not an applicant, the owner and the applicant shall each be liable for violations of this chapter. As to private property, this chapter shall be enforced by the Building Inspector, and as to public property, this chapter shall be enforced by the Police Department. This chapter may also be enforced by direct action of the Board of Trustees. The following acts shall constitute prima facie violations of any filming permit:

A.

Unauthorized street closings.

B.

Illegal parking.

C.

The use of equipment and/or vehicles not disclosed on the application.

§ -7 Exemptions.

The provisions of this chapter shall not apply to the filming of news stories by media personnel.

This Local Law shall be effective immediately upon filing with the Secretary of State.

3. **Resolution N. 2019-63** – Resolution to ratify renewal of Village’s Insurance coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499 annually.

RESOLVED, that the renewal of the Village’s Insurance Coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499 annually is hereby ratified and approved.

8. **Resolution No. 2019-64** – Resolution to authorize Mayor to execute NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019:

**Municipal Cooperation Resolution**

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Village of Chestnut Ridge wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Village of Chestnut Ridge wishes to assure the safety and liquidity of its funds;

THEREFORE BE IT RESOLVED that Village Mayor is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of Village of Chestnut Ridge.

BE IT FURTHER RESOLVED that the Village Treasurer is authorized to conduct transaction with NYCLASS on behalf of the Village of Chestnut Ridge in accord with the Village Board's resolutions directing the same.

9. **Resolution No. 2019-65** – Resolution approving Abstract of Audited Claims.

**RESOLVED**, that General Fund Claims set forth on pages 1 through \_\_\_ in the aggregate amount of \$ \_\_\_\_\_ as set forth on Abstract No. 2018-7 dated \_\_\_\_\_, as submitted by the Village Treasurer, are hereby approved.

BOARD OF TRUSTEES  
OF THE  
VILLAGE OF CHESTNUT RIDGE

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—  
For the Regular Village Board Meeting of July 18, 2019

8:00 pm

277 Old Nyack Turnpike

Chestnut Ridge, New York 10977

1. Pledge of Allegiance.
2. Mayor's report.
3. Open Floor: public discussion of Agenda Items.
4. Approval of Minutes of Previous Meeting, June 20, 2019.
5. **Resolution No. 2019-61** Motion to adjourn scheduling of Village Zoning Code regulating the burial of human remains in the Village of Chestnut Ridge.
6. Public Hearing for July at 8:00 on a local law to amend the Village Code regarding regulating filming in the Village of Chestnut Ridge.  
**Resolution No. 2019-62** to make SEQRA Determination of Significance and approving Local Law
7. **Resolution N. 2019-63** – Resolution to ratify renewal of Village's Insurance coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,300.00 annually.
8. **Resolution No. 2019-64** – Resolution to authorize Mayor to execute NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019.

9. **Resolution No. 2019-TBD** – Resolution approving Abstract of Audited Claims.
10. Open Floor: Public Discussion.
11. Executive Session – Pending Litigation: Dupuy v. Village of Chestnut Ridge (Fair Housing Complaint); OJC v. Village of Chestnut Ridge (Federal Ct. Action); Kogut et. al v. Chestnut Ridge (Article 78 Proceeding); Kogut/CUPON v. Chestnut Ridge (Federal Ct. Action).
12. Motion to Adjourn.

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**Resolutions:**

1. **Resolution No. 2019-61** Motion to adjourn scheduling of Village Zoning Code regulating the burial of human remains in the Village of Chestnut Ridge.

RESOLVED that the Public Hearing on a Local Law regulating the burial of human remains the Village of Chestnut Ridge is adjourned to provide the Village Attorney with additional time to research the issue.

2. **Resolution No. 2019-62**

Resolution to adopt Local Law # \_\_\_ of 2019, to amend the Village Code of the Village of Chestnut Ridge to adopt a new chapter entitled “Filming Regulations for the Village of Chestnut Ridge” relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, the Village Board of the Village of Chestnut Ridge has noticed a Public Hearing with regard to the adoption of a new chapter entitled “Filming Regulations for the Village of

Chestnut Ridge” relative to regulating filming projects proposed in the Village of Chestnut Ridge.

WHEREAS, a Public Hearings on the adoption of these proposed amendments to the Village Code was held on July 18, 2019;

WHEREAS, at least 10 days prior to the initial Public Hearing notification of same was published in the Rockland County Journal News pursuant to Village Law 7-706(1);

WHEREAS, the Village Board of Trustees had made and published initial SEQRA review of the proposed local law and find as follows:

That the proposed Village Code amendment was preliminary classified as a “Type II” action constituting the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)).

That it was the intention of the Village Board of Trustees to establish itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA);

**THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby establishes itself as the Lead Agency for the purpose of review of the proposed action under the provisions of the State Environmental Quality Review Act (SEQRA), and makes the following findings under NYCRR §617.7[c] with respect to the impact of the of the proposed amendment to the Village Code and its magnitude:

a. That the proposed amendment to the Village Code constitutes the adoption of a regulation, policy, or procedure in a local legislative decision with no effect on the environment (NYCRR 617.5(c)(27)), and therefore constitutes a Type II Action under SEQRA, and that no further action is required under SEQRA. Specifically, the requirement to conduct a filming project in the Village of Chestnut Ridge has no effect on the environment if the regulations promulgated hereunder are complied with.

**BE IT FURTHER RESOLVED**, that adoption of a new local law, entitled “Filming Regulation for the Village of Chestnut Ridge are hereby approved as drafted, including the changes made after the February 22, 2018 Public Hearing.

**Proposed Local Law:**



Local Law # \_\_\_\_\_ of 2019 **Filming** Regulations for the Village of Chestnut Ridge.

Chapter **Filming**

§ \_\_\_\_\_ **Definitions.**

§ \_\_\_\_\_ **Permit required; limitations; fee.**

§ \_\_\_\_\_ **Issuance of permits.**

§ \_\_\_\_\_ **Fees and reimbursement of costs.**

§ \_\_\_\_\_ **Rules and regulations.**

§ \_\_\_\_\_ **Violations and penalties; enforcement.**

§ \_\_\_\_\_ **Exemptions.**

§ \_\_\_\_\_ **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

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The taking of still or motion pictures, either on film, videotape or similar recording medium, for commercial or educational purposes, intended for viewing on television, in video games, on cable television, or in theatres or for institutional use, including the use of any public lands to facilitate same. Filming shall include setup and breakdown time. Filming of news stories within the Village of Chestnut Ridge shall not be subject to the provisions of this chapter.

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## PERSON

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Any and every public building, street, highway, sidewalk or square, public park or playground, or other public place within the jurisdiction and control of the Village of Chestnut Ridge.

## § -2 Permit required; limitations; fee.

### A.

No person shall film or permit filming within the Village of Chestnut Ridge without first obtaining permission from the Village Board of Trustees, and thereafter receiving a permit from the Village Clerk, which permit shall set forth the location of such filming, the date or dates when filming shall take place and such other information as may be required by the Village Board. No permit shall be issued in the absence of a fully completed application form. A permit shall be required for each location.

### B.

No permit shall authorize filming for more than three consecutive days in any one location. Additionally, no filming shall take place at any one location within 30 days of an initial shoot, or in excess of six days in any one calendar year, regardless of the number of permits utilized in reaching this maximum. Either or both of the limitations set forth in the subdivision may be extended only if the filming requested constitutes a major motion picture as defined in this chapter.

### C.

Applications for permits shall be obtained in the office of the Village Clerk during normal business hours. Applications for such permits shall be in a form approved by the Board of Trustees and shall be accompanied by a permit fee of \$250.00 as hereinafter set forth.

**D.**

If a permit is issued and, due to inclement weather or other good cause, filming does not take place on the dates specified, the Village Clerk may, at the request of the applicant who shall certify that filming did not take place on the dates specified, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

**§ -3 Issuance of permits.**

**A.**

No filming permits shall be issued by the Village of Chestnut Ridge unless applied for as follows:

**(1)**

Applications to film a major motion picture, as defined in this chapter, shall be submitted no less than 30 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

**(2)**

All other types of filming shall submit their application 14 days in advance of the proposed date of the filming, unless otherwise waived by the Board of Trustees.

**B.**

No filming permits shall be issued by the Village of Chestnut Ridge for filming on public lands unless the applicant submits the Village with satisfactory proof of the following:

**(1)**

Proof of insurance coverage, naming the Village of Chestnut Ridge as an additional insured, for bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000. Additionally, property damage coverage in an aggregate amount of no less than \$300,000.

**(2)**

An agreement, in writing, whereby the applicant agrees to defend, indemnify and hold the Village of Chestnut Ridge harmless from any and all liability, expense, claim or damages resulting from the use of public lands.

(3)

The posting of a \$2,500 cash security deposit, or \$2,500 maintenance bond running in favor of the Village of Chestnut Ridge protecting and insuring that the location utilized will be left after filming in a satisfactory condition, free of debris, rubbish and equipment, and that due observance of all Village ordinances, laws, and rules or regulations will be followed. The Village will return the security deposit or maintenance bond within 21 days after the completion of the filming, provided that there has been no damage to public property or public expense caused by the filming. Monies to repair damage to public property or reimburse public expense may be deducted from the security deposit.

(4)

The hiring of a Ramapo police officer for the times indicated on the permit shall be mandatory in the event that the Village Board, or the Ramapo Police Department, in their discretion, determine that the presence of a police officer is required for the filming of a major motion picture as defined in this chapter. The permit holder shall comply with all lawful directives of the Ramapo police officer present for the filming, including but not limited to directives regarding the free passage of pedestrians and traffic over public lands, or to halt filming in the event of a violation of any provisions of this chapter. The Village reserves the right to require the applicant to hire an on-site police officer of the Ramapo Police Department in other filming applications, if, in the discretion of the Village, the proposed production may impede the proper flow of pedestrian or vehicular traffic.

(5)

The hiring of an on-site licensed electrician where existing electrical power lines are utilized by the applicant, or if the applicant does not have a licensed electrician on site.

§ -4 Fees and reimbursement of costs.

The schedule of fees for the issuance of permits authorized by this chapter is as follows, and shall be paid in advance of the issuance of a permit, in cash or by bank or certified check:

A.

Basic filming permit: \$250. Where an applicant requests a waiver of the notice provisions of § \_\_\_-3, the basic filming permit fee shall be \$500.

**B.**

The daily filming fee for a major motion picture as defined in this chapter shall be \$1,000 per day.

**C.**

The filming permit for nonprofit applicants filming for educational purposes (no daily rate is required) shall be \$100.

**D.**

In addition to any fees or costs mentioned in this chapter, the applicant shall reimburse the Village for any lost revenue, such as parking revenue, repairs to public property, or revenues the Village may be prevented from earning because of the filming.

**§ -5 Rules and regulations.**

**A.**

The holder of a permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Ramapo Police Department with respect thereto.

**B.**

The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets. The holder shall avoid any interference with previously scheduled activities upon public lands and limit to the extent possible any interference with normal public activity on such public lands. All permit holders shall have a designated on-site contact person who shall be available via cell phone to address all inquiries by Village personnel for the duration of the filming.

**C.**

The holder of a permit shall take all reasonable steps to minimize the creation and spread of debris and rubbish during filming and shall be responsible for the removal of all equipment, debris and other rubbish from the filming location upon the completion of the filming or upon the expiration of the permit, whichever comes first.

**D.**

Filming shall be permitted only Monday through Friday between the hours of 7:00 a.m. to 10:00 p.m., except in the Commercial Zoning Districts in the Village where filming shall be permitted only Monday through Saturday 7:00 a.m. through 10:00 p.m. In this connection, the setup of equipment and vehicles and the breakdown of such equipment and vehicles at the end of the filming shall be accomplished within the permitted time period. Equipment and vehicles are permitted to arrive in the Village prior to 7:00 a.m., but in no event shall equipment be set up earlier than 7:00 a.m. on the day filming is permitted.

E.

The Village Clerk or the Board of Trustees may refuse to issue a permit whenever it is determined, on the basis of objective evidence after a review of the application and a report thereon from the Police Department and by any other applicable Village departments or agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or would unreasonably interfere with the public's use of public lands, unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of pedestrian and vehicular traffic or otherwise endanger the public health and welfare or unreasonably disturb the peace and tranquility of adjoining property owners.

F.

Any person aggrieved by a decision of the Village Clerk or the Board of Trustees granting, denying or revoking a permit or a person requesting relief pursuant to Subsection E may appeal in accordance with Article 78 of the Civil Practice Law and Rules. Any such appeal must be filed not later than 30 days after the decision of the Board.

G.

The Board of Trustees may authorize a waiver of any of the requirements or limitations of this chapter and may authorize filming other than during the hours and days herein described whenever it determines that such a permit may be issued without endangering the public health, safety and welfare and without unreasonably disturbing the peace and tranquility of the neighborhood where it is proposed to film. A public hearing shall be held for every application for a waiver. The Village Board shall fix the time and place and shall give written notification to abutting and adjacent property owners.

§ -6 Violations and penalties; enforcement.

Any person violating this chapter or the rules and regulations contained therein, shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 per day, and/or forfeiture of the security deposit or maintenance bond posted in connection with the issuance of a filming permit. Where the owner of the premises is not an applicant, the owner and the applicant shall each be liable for violations of this chapter. As to private property, this chapter shall be enforced by the Building Inspector, and as to public property, this chapter shall be enforced by the Police Department. This chapter may also be enforced by direct action of the Board of Trustees. The following acts shall constitute prima facie violations of any filming permit:

A.

Unauthorized street closings.

B.

Illegal parking.

C.

The use of equipment and/or vehicles not disclosed on the application.

§ -7 Exemptions.

The provisions of this chapter shall not apply to the filming of news stories by media personnel.

This Local Law shall be effective immediately upon filing with the Secretary of State.

- 3. Resolution N. 2019-63** – Resolution to ratify renewal of Village’s Insurance coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499 annually.

RESOLVED, that the renewal of the Village’s Insurance Coverage with Travelers Insurance (through Bauer Crowley) at a cost of \$80,499 annually is hereby ratified and approved.

8. **Resolution No. 2019-64** – Resolution to authorize Mayor to execute NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019:

**Municipal Cooperation Resolution**

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o (“Section 119-o”) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts, boards of cooperative educational services, counties, cities, town and villages, and districts] to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Village of Chestnut Ridge wishes to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019;

WHEREAS, the Village of Chestnut Ridge wishes to assure the safety and liquidity of its funds;

THEREFORE BE IT RESOLVED that Village Mayor is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of Village of Chestnut Ridge.



BE IT FURTHER RESOLVED that the Village Treasurer is authorized to conduct transaction with NYCLASS on behalf of the Village of Chestnut Ridge in accord with the Village Board's resolutions directing the same.

9. **Resolution No. 2019-65** – Resolution approving Abstract of Audited Claims.

**RESOLVED**, that General Fund Claims set forth on pages 1 through \_\_\_ in the aggregate amount of \$ \_\_\_\_\_ as set forth on Abstract No. 2018-7 dated \_\_\_\_\_, as submitted by the Village Treasurer, are hereby approved.