

**MINUTES OF THE BOARD OF TRUSTEES
VILLAGE OF CHESTNUT RIDGE
SEPTEMBER 19, 2019**

The Board of Trustees of the Village of Chestnut Ridge convened in regular session on, September 19, 2019 at the Village Hall, located at 277 Old Nyack Turnpike, Chestnut Ridge, NY 10977.

PRESENT:

ROSARIO PRESTI, JR. - MAYOR

GRANT VALENTINE - DEPUTY MAYOR

RICHARD MILLER - TRUSTEE

PAUL VAN ALSTYNE - TRUSTEE

WALTER SEVASTIAN - VILLAGE ATTORNEY

**FLORENCE A. MANDEL - VILLAGE CLERK
RECORDING SECRETARY**

1. Pledge of Allegiance

2. Mayor's report.

- **Mayor welcomed everyone.**
- **We had a nice Village picnic.**
- **It was a nice turnout.**
- **I appreciate all coming out to say “hello” and to say “thank you.**
- **We had a lot of folks out and they extended their thanks to the Village for hosting the event.**
- **Again, my thanks to Florence for putting it all together and keeping it together, and Lise for signing the checks; so, that they’ll come back the next time.**
- **Again, it was appreciated by all.**
- **Last meeting, there was an issue regarding 1 Karow Ct.: I did have an opportunity the next day to speak to the Village Engineer.**
- **He had assured me that he also has been auditing and shadowing the Building Inspector with regard to what was going on there.**
- **While the Building Permit did expire, but it was confirmed it was renewed.**
- **From a Building Permit perspective, they were currently in compliance.**
- **The criticism was more as to what they’re anticipating; what was going to happen there.**
- **We cannot anticipate; all we can do is watch.**
- **The Building Permitting is in compliance and it has been verified by the Village Engineer.**
- **They will be performing joint inspections to make sure that they continue to be in compliance and it stays that way.**
- **There was some criticism as to the methodology of them filling in an area with sand; the Village Engineer confirmed that although it would not be his method of choice, it is a legal method to do and it is a method used in other places so it wasn’t so unusual to see that.**
- **The Village Engineer did confirm that with regard to periodic inspections make sure the trusses in the basement will be at 4 feet so there is no question as to potential subterranean use.**
- **In regard to Eruv’s that was alleged to be posted in the vicinity of Appledale Ct. give or take; the Village Attorney is in the process of really just tying up some verbiage; we have no law; it’s pretty clear we don’t have a say to prohibit any type of Eruv.**
- **The procedure, Common knowledge, so as long as it is not in right of way, there is no issue.**
- **Whoever is putting up the Eruv they are doing it at their risk, peril.**
- **God forbid there is an accident, or any incident that is directly related to the Eruv, the Village has no liability in any shape or form.**

- As a matter of courtesy, to the folks in the Village who may want to consider their own personal Eruv, they are doing it at their own risk, and the Village has no liability.
- The staff at Village Hall are our staff, they work very hard.
- The staff at Village Hall are not to be abused, criticized.
- When residents make demands or requests from staff, they have no right to do that.
- The staff relays whatever requests are being made; people should not tell the staff I need to know this right away, I cannot wait.
- People need to exhibit a little more courtesy, a little more professionalism, and probably a little more maturity when dealing with the staff.
- I'm putting it out there; hopefully, that will "STOP".

3. Open Floor: public discussion of Agenda Items.

No one from the public wish to speak.

Motion to Close the public discussion on Agenda Items.

MOTION: Trustee Van Alstyne

SECOND: Deputy Mayor Valentine

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

4. Approval of Minutes of Previous Meeting, August 15, 2019.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve the Minutes of August 15, 2019.

5. Resolution No. 2019-71 - Resolution approving Pine Brook Road Culvert Replacement Project under Bridge NY Program.

- Mayor - We are receiving Grants for.

WHEREAS, a project for the Pine Brook Road over Pine Brook Culvert Replacement in the Village of Chestnut Ridge, Rockland County, P.I.N. 8762.27 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Village of Chestnut Ridge will design, let, and administer all phases of the Project and

WHEREAS, the Village of Chestnut Ridge desires to advance the Project by making a commitment of 100% of the costs of preliminary engineering and construction work for the Project or portions thereof; and

NOW, THEREFORE, the Chestnut Ridge Village Board, duly convened does hereby

RESOLVE, that the Chestnut Ridge Village Board hereby approves the Project; and it is hereby further

RESOLVED, that the Chestnut Ridge Village Board hereby authorizes the Village of Chestnut Ridge to pay 100% of the cost of preliminary engineering and construction work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further

RESOLVED, that the sum of \$290,648 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Chestnut Ridge Village Board hereby agrees that the Village of Chestnut Ridge shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Village of Chestnut Ridge; and it is further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Chestnut Ridge Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Treasurer thereof, and it is further

RESOLVED, that the Chestnut Ridge Village Board hereby agrees that the Village of Chestnut Ridge hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the Treasurer of the Village of Chestnut Ridge be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Village of Chestnut Ridge in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further

RESOLVED, that the Village of Chestnut Ridge will be responsible for all maintenance of the Project; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

MOTION: Trustee Van Alstyne

SECOND: Trustee Miller

The Board was polled and voted 4-0 to Approve Resolution No. 2119-71.

6. Resolution N. 2019-72- Municipal Cooperation Resolution pertaining to NYCLASS Municipal Cooperation Agreement.

- Mayor thanked Village Treasurer for doing the research in getting the Village in the arena here and speaking with other Villages and agencies that this would be a good thing.

WHEREAS New York General Municipal Law, Article 5-G, 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, towns 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 Investments 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 ensure the safety and liquidity of its funds

THEREFORE, BE IT RESOLVED as follows:

That Lise Chanin, Village Treasurer, is hereby authorized to execute and deliver the NYCLASS Municipal Cooperation Agreement Amended and Restated as of March 28, 2019 in the name of and on behalf of the Village of Chestnut Ridge.

x _____
Lise J. Chanin

Village Treasurer
9/19/19

- Mayor thanked Village Treasurer for getting it all together.

MOTION: Deputy Mayor Valentine

SECOND: Trustee Miller

The Board was polled and voted 4-0 to Approve Resolution No. 21019-72.

7. Resolution No. 2019-73 - Resolution approving Agreement with B& B Pools to close the water feature in the Village Park.

RESOLVED that an agreement with B&B Pools to winterize the water feature in the Village Park is hereby approved.

MOTION: Trustee Miller

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve Resolution No. 2019-73.

8. Resolution No. 2019-74 - Resolution approving Justice Court Audit and authorizing Village Clerk to submit the same to New York State.

RESOLVED that the Village Board accepts the annual Justice Court audit for fiscal year June 1, 2018 through May 31, 2019, and directs the Village Clerk to submit the report to the New York State Office of Court Administration.

MOTION: Trustee Van Alstyne

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve Resolution No. 2019-74.

9. Resolution No. 2019-75 - Resolution approving authorizing the Village Court to apply for a JCAP grant in the 2019-20 grant cycle up to \$30,000.00, for the purchase of a new magnetometer and wand for the Court.

- **Thanked Justice Court Clerk Jamie, who will work with the Village Treasurer to make sure the funds are available and utilized properly.**

MOTION: Deputy Mayor Valentine

SECOND: Trustee Van Alstyne

The Board was polled and voted 4-0 to Approve Resolution No. 2019-75.

0. a. Mayor appoints Michael Williams as Zoning Board member, for an unexpired term to expire April 2023.

b. Resolution No. 2019-76 approving Mayor's appointment.

RESOLVED that the Mayor's appointment of Michael Williams as a member of the Zoning Board of Appeals member for a term to expire April 2023, is hereby approved.

- **Move Michael Williams up from alternate to permanent member.**

MOTION: Deputy Mayor Valentine

SECOND: Trustee Miller

The Board was polled and voted 4-0 to Approve Resolution No. 2019-76.

11. Resolution No. 2019-77 – Resolution approving Abstract of Audited Claims.

RESOLVED, that General Fund Claims set forth on pages 1 through 4 in the aggregate amount of \$ 157,718,24 as set forth on Abstract No. 2019-9 dated September 19, 2019, as submitted by the Village Treasurer, are hereby approved.

MOTION: Trustee Miller

SECOND: Deputy Mayor Valentine

The Board was polled and voted 4-0 to Approve Resolution No. 2019-77.

12. Open Floor: Public Discussion.

No one from the public wished to speak.

Motion to Close the Open Floor Public Discussion.

MOTION: Trustee Miller

SECOND: Trustee Van Alstyne

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

Motion to Adjourn:

MOTION: Trustee Miller

SECOND: Trustee Van Alstyne

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

MEETING ADJOURNED; 8:15 P.M.

Respectfully submitted,

**Florence A. Mandel
Village Clerk
Recording Secretary**

13. Executive Session – Pending Litigation: 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).
14. Motion to Adjourn.

Resolutions:

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5. Resolution No. 2019-75 Resolution approving authorizing the Village Court to apply for a JCAP grant in the 2019-20 grant cycle up to \$30,000.00, for the purchase of a new magnetometer and wand for the Court.

RESOLVED that the Village of Chestnut Ridge authorizes the Village of Chestnut Ridge Justice Court to apply for a JCAP grant in the 2019-2020 grant cycle, for up to \$30,000.00 or the exact amount being requested, to fund improvements to the Village of Chestnut Ridge Justice Court facilities.

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SEPTEMBER, 2019 – VILLAGE BOARD MINUTES