

VILLAGE OF WESLEY HILLS
VILLAGE BOARD MEETING
October 9, 2007

PRESENT: Mayor R. Frankl
Deputy Mayor E. Mc Pherson
Trustee D. Goldsmith
Trustee H. Richman
Trustee M. Ben-Jacob
Village Attorney, F. Brown
Village Clerk J. Pagliaroli

Mayor Frankl called the meeting to order at 8:00 p.m.

Trustee Goldsmith said that in the minutes of September 11, 2007 as submitted by the Village Clerk has Mr. Kurzman's name misspelled. Trustee Goldsmith made the following resolution:

RESOLUTION 101-07

RESOLVED, that the Minutes of the meeting of the Board of Trustees of the Village of Wesley Hills on September 11, 2007, with corrections, be approved, and that the reading of such Minutes be waived.

The resolution was seconded by Trustee Richman and so carried with a vote of 5 ayes and 0 nays.

Mayor Frank said that there was a meeting today at the Solid Waste Authority regarding the new composting. He informed the Board that he spoke to Mr. Licata about the property on Grandview Avenue that abuts Holland Lane and no problems were found. Mayor Frankl said that Mr. Lichtenstein is scheduled to appear at the T.A.C. meeting a week from this coming Thursday. Mayor Frankl reported that he had called Ramapo Police and requested that they resume enforcing the overnight parking laws. Trustee Goldsmith will call Mr. Horowitz to remind them about overnight parking regulations.

Mayor Frankl reported that on Thursday, October 11th, Ken Zebrowski will be visiting the Village Hall at 2:30 P.M.

The Mayor opened the floor for comments from the public. Mr. David Hershkowitz from 6 Cara Drive was before the Board. He wanted to thank them for having the problem with streetlight fixed within a couple of days from his phone call.

Mr. Marcus was at the meeting but had no comment for the Board.

Trustee Goldsmith made the following resolution:

RESOLUTION 102-07

WHEREAS, the budget adopted for the fiscal year beginning June 1, 2006 and ending May 31, 2007 did not provide for certain expenses which the Board of Trustees of the Village of Wesley Hills deemed it to be in the best interests of the residents of said Village to incur; and

WHEREAS, funds are available in Contingency Account #A1990 for such fiscal year; and

WHEREAS, unexpended balances exist in the appropriations for other accounts as set forth below, which were not needed for such accounts for such fiscal year; and

WHEREAS, certain revenues were received during such fiscal year which were not included in the budget adopted for such fiscal year, and such additional revenues should be applied to such additional expenses not provided for in such budget which the Board of Trustees deemed it to be in the best interests of the residents of said Village to incur;

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-520 of the Village Law, that the sum of \$20,000.00 be transferred from Contingency Account #A1990 for such fiscal year; and

BE IT FURTHER RESOLVED, that the following amounts of unexpended balances of the appropriations for the following accounts for such fiscal year be reappropriated: from Account #A1420, Attorney: \$25,600.00; and from Account #A3620, Safety Inspection: \$24,100.00; and

BE IT FURTHER RESOLVED, that additional revenue received in the amount of \$48,100.00 shall be allocated to Account #A3005, Mortgage Tax, for such fiscal year, and

BE IT FURTHER RESOLVED, that the aggregate amount of \$69,700.00 so transferred and reappropriated plus the aggregate amount of \$48,100.00 of such additional revenues be transferred to the following accounts for use during such fiscal year:

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| (1) | to Account #A1010, Legislative-Village Trustees: | \$ 1,000.00; |
| (2) | to Account #A1110, Judicial-Justice: | 1,000.00; |

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| (3) | to Account A1410, Village Clerk: | 100.00; |
| (4) | to Account #A1440, Engineer: | 8,600.00; |
| (5) | to Account #A3310, Traffic Control: | 18,700.00; |
| (6) | to Account #A5110, Street Maintenance and Snow: | 76,900.00; |
| (7) | to Account #A5182, Street Lighting | 3,200.00; |
| (8) | to Account #A7110, Lands Maintenance: | 1,300.00; |
| (9) | to Account #A7550, Celebration: | 1,000.00; |
| (10) | to Account #A8090, Storm Water Manage- ment: | 1,000.00 |
| (11) | to Account #A8160, Refuse & Garbage: | 400.00; |
| (12) | to Account #A9010, State Retirement: | 800.00; |
| (13) | to Account #A9030, Social Security: | 1,900.00; |
| (14) | to Account #A9040, Workers' Compensa- tion: | 100.00; |
| (15) | to Account #A9060, Medical Insurance: | 1,800.00. |

The resolution was seconded by Deputy Mayor Mc Pherson and so carried with a vote of 5 ayes and 0 nays.

Trustee Richman made the following resolution:

RESOLUTION 103-07

WHEREAS, the Village Treasurer has prepared and filed his annual financial report for the fiscal year ended May 31, 2007, showing in detail all revenues and expenditures during such fiscal year, together with supporting records, and

WHEREAS, the Board of Trustees has audited such financial report pursuant to Village Law section 4-408,

NOW, THEREFORE, BE IT RESOLVED, that such financial report is hereby determined to have properly accounted for the Village's cash and transactions and is hereby approved.

The resolution was seconded by Trustee Goldsmith and so carried with a vote of 5 ayes and 0 nays.

Mr. Brown gave the Board a copy of the revised proposed law regarding storage of unregistered or uninspected vehicles. Discussion was held on the definition of a recreational vehicle and of a boat. Mr. Abrams asked that the Board also include banning the storage of a vehicle that cannot be driven on a public street.

Deputy Mayor said he felt that the law should be left in the property maintenance code and should leave the wordage as presented by Mr. Brown. Trustee Richman said that a small non-motorized vessel would be difficult to enforce. Trustee Goldsmith asked about the wording "unoccupied recreational vehicle". He asked if the recreational vehicle was occupied would it be okay to store in a yard. Mr. Brown said that the Board wanted to add one simple thing that would require that a car be registered and inspected to be stored on a lot and now the Board was trying to fix the whole section. Trustee Ben Jacob asked that the Board take a vote to leave the law alone or use the NY State wording, "in operating condition". Trustee Richman said to leave the wording. Trustee Goldsmith said to leave the wording. He said that he felt it was not going to be enforceable. He said that he believed that the Board could declare the site a nuisance. Trustee Richman said that it was his concern that the law would become cumbersome and should be dealt with on a case by case basis. Mr. Brown said that based on what is in the State Code, we don't need to wait for the change. He said the Village could go now and deal with the problem property. Trustee Goldsmith said that he also believed that the problem should be dealt with on a case by case basis. He said the Village really only wants to enforce this type of law on properties that are problems to the neighbors. Deputy Mayor Mc Pherson made the following resolution:

RESOLUTION 104-07

WHEREAS, the Board of Trustees of the Village of Wesley Hills deems it to be in the interests of the Village to consider the enactment of a local law amending the Zoning Law of the Village of Wesley Hills in order to revise the regulations pertaining to the storage of unregistered and/or uninspected vehicles, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared such a proposed local law, entitled "A Local Law Amending Local Law No. 14 of 1984, as Amended, to Revise the Zoning Law of the Village of Wesley Hills with Respect to Storage of Unregistered or Uninspected Vehicles", and

WHEREAS, by Resolution number 98-07 adopted on September 11, 2007, this Board has determined that the enactment of such local law will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act, and

WHEREAS, by the same Resolution, such proposed local law was referred to the Planning Board and various Village Officials for review and report in accordance with the provisions of Section 13.5 of the Zoning Law

of the Village of Wesley Hills, and reports have been received orally or in writing from such Board and all such officials,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of the Municipal Home Rule Law and Section 7-706 of the Village Law, a public hearing on the adoption of such proposed local law, as so revised, shall be held before the Board of Trustees of the Village of Wesley Hills, on the 13th day of November, 2007, at 8:00 P.M., at the Village Hall, 432 Route 306, in the Village of Wesley Hills, at which hearing citizens shall have an opportunity to be heard with respect to such local law, and

BE IT FURTHER RESOLVED, that the notice of the time and place of such public hearing shall be published and posted by the Village Clerk at least 10 days in advance of such time in the manner provided by law.

The resolution was seconded Trustee Ben Jacob and was so carried with the following vote: Mayor Frankl, aye; Deputy Mayor McPherson, aye; Trustee Ben Jacob, aye; Trustee Richman, aye; Trustee Goldsmith, nay.

Trustee Goldsmith made the following resolution:

RESOLUTION 105-07

RESOLVED, that general fund claims #117 through 141 in the aggregate amount of \$95,425.55, as set forth in Abstract #10-07 dated October 9, 2007, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

The resolution was seconded by Trustee Richman and so carried with a vote of 5 ayes and 0 nays.

Trustee Goldsmith made the following resolution:

RESOLUTION 106-07

RESOLVED, that the parks and recreation fund claim #186 in the amount of \$52.50, as set forth in Abstract # PR 6-07 dated October 9, 2007, a copy of which abstract of audited claim is made a part of the Minutes of this Board, is hereby approved.

The resolution was seconded by Trustee Richman and so carried with a vote of 5 ayes and 0 nays.

Trustee Goldsmith informed the Board that he is scheduled to meet with Eve Mancuso from Brooker Engineering and Bruce Smith from Environmental Construction on Thursday at 9 A.M. at the Arcadian Walking Path to look at the fallen trees and to plan the planting.

Trustee Goldsmith to look at the path at Powderhorn Drive. It has been reported that it needs to be cleaned up because someone has been dumping grass clippings next to the path.

Trustee Goldsmith discussed the memo from Steve Abrams about 949 Haverstraw Road noise complaint. Mr. Brown advised Mr. Abrams to ask Jeff Fortunato, Assistant Village Attorney, what is unreasonable.

Trustee Goldsmith discussed the memo from the Village Clerk regarding Mr. Kurzman's answer that the Tsour's will be applying for a wig business at their residence on Village Green. Trustee Goldsmith said that due to the history of the site, the Planning Board should insist on the right to inspect the site whenever we feel it is necessary to ensure compliance.

Discussion was held regarding the flyer concerning the emergency generator. The cost is about \$5,000 and the installation would be about the same amount. The possibility of receiving grant money will be investigated.

Deputy Mayor Mc Pherson advised the Board about a meeting with the Finklestein Library to have the Village Hall host a drop off and pick up point. Mr. Brown said that we need to have an agreement with the library in place.

Deputy Mayor Mc Pherson said that walking paths and lack of sidewalks is going to become more important. He believes that we should plot on a map the existing sidewalks in order to help the Village Board decide what to do. Trustee Goldsmith said that he already had a map and would bring it in. Deputy Mayor Mc Pherson asked that the Engineer look into the possibility of having a path through the St. Boniface and United Water properties to the shopping center. Trustee Richman said that he believed there was a path from Kentor Lane to Marcus Drive.

Mr. Brown advised the Village Board that Mr. Selig, Deputy Village Attorney, requested that the Board discuss the Rosenblum case in executive session.

Trustee Goldsmith moved to go into executive session. The motion was seconded by Trustee Richman and so carried with a vote of 5 ayes and 0 nays.

Trustee Goldsmith made a motion to leave executive session and was seconded by Trustee Richman and was so carried with a vote of 5 ayes and 0 nays.

The Village Clerk noted that no action was taken while in executive session.

Trustee Goldsmith made a motion to adjourn and was seconded by Trustee Richman and was so carried.

Respectfully submitted,

Julie Pagliaroli
Village Clerk