

VILLAGE OF WESLEY HILLS  
VILLAGE BOARD MEETING  
November 13, 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 made the following resolution:

**RESOLUTION 107-07**

RESOLVED, that the Minutes of the meeting of the Board of Trustees of the Village of Wesley Hills on October 9, 2007, as submitted by the Village Clerk, with changes, 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 4 ayes and 0 nays.

The Mayor opened the public hearing regarding the 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" at 8:15 P.M. Mr. Bob Thomases from 20 Pomona Lane was before the Board. He said he was representing himself and the Pomona Country Club. He was in favor of the change to the Local Law. Mr. Daniel Politi from 79 Pomona Road was before the Board. He was in favor of changing the law as proposed. He said that he did not want to have someone's front yard looking at a used car lot. Mr. Gene Di Lorenzo from 3 East Lane was before the Board. He said this person brings buyers and tow trucks and he believes something should be done about this. He informed the Board that buyers come into the community to buy cars and use the private roads to test drive the cars for sale. Trustee Goldsmith asked how the law was being changed. Mr. Brown said that the change would be the addition of the word "Uninspected" to the law. Mr. Marcus from the Village of New Hempstead asked if the ordinance is directed at one property and if this person had been called or asked to stop. Mayor Frankl said that the owners of the property that this legislation would affect have been contacted and there has been no solution. Trustee Goldsmith said that he doubts that this change is going to make a difference in being able to enforce the code. He feels that we should deal with the problem using the nuisance law and if someone is being a nuisance in the

public we should be able to make them stop. Mr. David Herskowitz from Cara Drive was before the Board. He asked in what was this going to be enforced. He wanted to know if an inspector could go on the property. Mayor Frankl stated that sometimes the inspector can and sometimes he can't. Trustee Richman said that this is the first time that he got the impression that this was a business. Deputy Mayor Mc Pherson said that a license is required by New York State if the number of vehicles sold over a certain period of time exceeded the allowed number for "casual" sales. Trustee Richman was concerned that by enacting this change we will be making certain activities illegal. Mr. Thomas said that it is simple to register a car but it is difficult to have a car inspected. Deputy Mayor Mc Pherson said that it is his understanding that if a code enforcement officer sees a possible violation he can go on to the property but cannot enter a house without a warrant. Stephen Abrams, Code Enforcement Officer for Wesley Hills, was before the Board. He told the Board that this was in justice court and a fine was assessed and the owner fixed the problem and registrations were obtained. Deputy Mayor Mc Pherson said that if the Village requires inspection and registration that will be the way we can have a handle on someone who is collecting. Mr. Thomas said that this was a nescience in the neighborhood and begged the Board to take care of this. He said the person in question has used offensive language and uses private property. He said that there is a problem in his neighborhood and would like the Board to do something about it. Trustee Goldsmith said that the Board should hold a public hearing and declare the property a nuisance. Mr. Brown advised the Board that if they went through that process, the Board could order the owner to remove the cars and if that is not done then remove them at the owner's expense. Mr. Rudy Dent was before the Board. He said that if the Village did not have the ability to declare it a nuisance, maybe the Pomona County Club could. Trustee Richman said that he felt instead of passing another law we should enforce the laws that we have. Mr. Dent wants to make sure that any new owners belong to the Pomona Country Club. Trustee Goldsmith asked what the Board needs to do to have a public hearing on the nuisance law. Mr. Brown advised the Board of the procedure. Deputy Mayor Mc Pherson said, notwithstanding the nuisance law, we should make the suggested law change. He feels that it is a small step and recommends that the Board does it to correct the problem. He feels that the Board should do something and should take this step to help the residents address this problem. Trustee Richman moved to close the hearing. He was seconded by Trustee Goldsmith and the motion was so carried. Trustee Richman made a motion to table this amendment until next month for more investigation and research. Trustee Ben-Jacob asked what the problem with passing the resolution is. Trustee Richman said he wanted to know if there was a better tool. Trustee Goldsmith made a motion to adjourn this matter until next month. The motion was seconded by Trustee Richman and was so carried with 4 ayes and one nay by Deputy Mayor Mc Pherson.

The Mayor reported that the paving on Skylark is being done. Trustee Goldsmith said that we should think about paving the entire road.

Trustee Richman said that he needed bios for the web site.

Trustee Goldsmith made the following resolution:

**RESOLUTION 108-07**

WHEREAS, the Village Treasurer has returned the 2007 Village of Wesley Hills Assessment Roll and Warrant, and has delivered to this Board an account of the unpaid taxes, which sets forth the sum of \$25,294.59, exclusive of interest, as the total amount of taxes unpaid (\$27,824.05 inclusive of interest), and

WHEREAS, this Board has compared the account of unpaid taxes with the original tax assessment roll,

NOW, THEREFORE, BE IT RESOLVED, that this Board hereby finds and certifies that the account of unpaid taxes is correct and that the total amount of taxes unpaid is \$25,294.59 exclusive of interest (\$27,824.05 inclusive of interest).

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 109-07**

RESOLVED, that the Board of Trustees hereby requests that the Town of Ramapo Highway Department install two signs, each of them to read "No Dumping – Violators Will be Prosecuted to the Fullest Extent", at the curb at each end of the new walking path connecting Arcadian Drive with Sherri Lane.

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

Trustee Richman made the following resolution:

**RESOLUTION 110-07**

RESOLVED, that the proposed Agreement between Finkelstein Memorial Library and the Village of Wesley Hills for the installation and maintenance of a book drop, audio-visual materials drop, and book pick-up locker at Wesley Hills Village Hall, a copy of which Agreement is made a part of the Minutes of this Board, is hereby approved, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said Agreement on behalf of the Village of Wesley Hills.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 111-07**

WHEREAS, on July 8, 2005, Verizon Wireless deposited the sum of \$3,000.00 with the Village of Wesley Hills to be held in escrow for application to the bills of Richard A. Comi incurred for his review of the application of Verizon Wireless for approval of an amendment to a site plan for the wireless communication services facility at 7 Mark Drive, and

WHEREAS, all necessary reviews by Richard A. Comi have been completed and, after payment of all of his invoices for such reviews, a balance of such escrow deposit in the net amount of \$274.14 remains unused,

NOW, THEREFORE, BE IT RESOLVED, that the said balance of escrow funds in the amount of \$274.14 be released and returned to Verizon Wireless.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 112-07**

RESOLVED, that general fund claims #142 through 185 in the aggregate amount of \$102,323.19, as set forth in Abstract #11-07 dated November 13, 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 Deputy Mayor Mc Pherson and so carried with 5 ayes and 0 nays.

Trustee Goldsmith reported to the Board about Blue Sky Drive. He said that it has been put on the list to be reviewed and he is in contact with the Town to have the intersection patched.

Trustee Goldsmith reported that he is trying to speak with Supervisor St. Lawrence about the walking path that was suggested by Leah Rubin. He also addressed the problem with the noise law regarding barking dogs. He informed the Board that there will be a group of residents here next week to complain about a dog that barks all day.

Trustee Goldsmith asked Mr. Brown if there were any restrictions as to what time garbage can be picked up. Mr. Brown said that garbage cannot be picked up between 9 P.M. and 6 A.M.

Trustee Richman asked that everyone give in their bios and the summary of Wesley Hills history.

Deputy Mc Pherson and Trustee Ben-Jacob said that a letter has been drafted to go to Dalzell Management and the Planning Board about the site plan for the shopping center.

Trustee Goldsmith made a motion to adjourn and was seconded by Deputy Mayor Mc Pherson and was so carried.

Respectfully submitted,

Julie Pagliaroli  
Village Clerk