

Village of Wesley Hills
Village Board Meeting-May 13, 2008

The meeting was called to order by David Goldsmith, Mayor at 8:00 P.M.

Present: David Goldsmith-Mayor, Howard Richman-Trustee, Marion Ben-Jacob-Trustee, Brett Bekritsky-Trustee.

Also Present: Ben Selig-Village Attorney, Barbara Cartaya-Village Clerk.

Absent: Ed McPherson-Deputy Mayor.

A motion was made by Howard Richman and seconded by Marion Ben Jacob to approve the following resolution.

RESOLUTION # 52-08

WHEREAS, the minutes of the meeting of the Board of Trustees of the Village of Wesley Hills on April 8, 2008, as submitted by the Village Clerk, be approved, and that the reading of such Minutes be waived.

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes,

A motion was made by Marion Ben-Jacob and seconded by Howard Richman to approve the following resolution:

A resolution levying the total taxes and other charges extended and levied against each parcel of real property shown on the roll prepared and verified by the assessors for the 2007-2008 fiscal year.

RESOLUTION # 53-08

RESOLVED, that there be levied and assessed against the real property of the Village of Wesley Hills the following sums for village government and other charges for the fiscal year 2008-2009 with a tax rate of 9.5171 per thousand dollars of assessed valuation:

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-abstain.

The resolution was carried with a vote of 3 ayes and 1 nay.

A motion was made by Marion Ben-Jacob and seconded by Howard Richman to approve the following resolution:

RESOLVED, that the proposed contract with DEC Copiers and related Equipment Lease Agreement with General Electric Capital Corporation for BIZ HUB 350 copier with stand fax and document feeder as set forth in the DEC contract and General Electric Capital Corporation Equipment Lease Agreement, copies of which are made a part of the Minutes if this Board, are hereby accepted; and the Mayor is hereby authorized to indicate the approval of such contract and lease by signing said contract and lease on behalf of the Village of Wesley Hills.

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

The resolution was carried with a vote of 4 ayes and 0 nays.

A motion was made by to approve the following resolution:

RESOLUTION #54-08:

RESOLVED, that the proposed contract with Knapp's Landscaping, Inc. for Grounds Maintenance for the period of May 1, 2008, through November 30, 2009, as set forth in the Knapp's Landscaping Inc., proposal dated April 22, 2008, a copy of which proposal/agreement is made a part of the Minutes of this Board, is hereby accepted; and the Mayor is hereby authorized to indicate the approval of such contract and lease by signing said contract and lease on behalf of the Village of Wesley Hills.

The following vote was taken: Mayor Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

The resolution was carried with a vote of 4 ayes and 0 nays.

Mayor Goldsmith, the Trustees and Mr. Selig discussed the proposed DEC Stormwater Management Law. Mr. Selig said that the proposed law follows the DEC model law and the Brian Brookers' office has been working under the required guidelines.

Mayor Goldsmith opened the public hearing on the proposed Local Law for Stormwater Management and Erosion & Sediment Control.

The public wished to have the proposed law explained in detail.

Mayor Goldsmith and Mr. Selig explained the proposed law and all the requirements of the law in great detail.

A motion was made by Howard Richman and seconded by Marion Ben-Jacob to close the public hearing.

The following vote was taken: Mayor Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

A motion was made by Howard Richman and seconded by Marion Ben-Jacob to approve the following resolution:

RESOLUTION #55-08:

RESOLVED, that the proposed local law entitled “Local Law for Stormwater Management and Erosion & Sediment Control” is hereby approved and enacted as Local Law No. 1 of 2008.

The following vote was taken: Mayor Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

The resolution was carried with a vote of 4 ayes and 0 nays.

Mayor Goldsmith then asked that Mr. Windram of Verizon discuss their proposed Franchise Agreement.

Mr. Windram gave a brief presentation and then introduced John Harrington and Steve Zahn, Esq.

Mr. Harrington said that if the Board approves the proposal this would create a competitive market in the Village and that it would possibly reduce prices in the Village. Mr. Harrington then said there is research that proves that the competition creates more program diversity and that the application was approved by the Public Service Commission.

Mr. Zahn briefly discussed the laws surrounding the cable market and he then said that the Public Service Commission has approved over 100 franchises for Verizon. Mr. Zahn said that there will be a 5% franchise fee for the Village and that proof of insurance and indemnification will be provided to the Village. Mr. Zahn then said that they will restore all disturbed properties and that free cable service will be provided to the Village hall, Yeshiva Ohr Reuven, Grandview School and Lime Kiln School.

Mayor Goldsmith and the Board members then discussed the exhibits in the agreement with Mr. Zahn.

Mr. Connor of Cablevision said that there is a five year limit set by the Public Service Commission for completion of construction. Mr. Connor then said that Verizon can apply for a tax credit on the existing poles because they are owned by Verizon. Mr. Connor then discussed in detail the existing services that are provided by Cablevision.

Mayor Goldsmith opened the public hearing on the proposed Verizon Franchise Agreement Law.

There were no comments from the public.

Mayor Goldsmith, the Trustees and Mr. Selig then again discussed the notes in the agreement and the proposed Verizon agreement. The Mayor and Board members then discussed in great detail if there was any reason to delay a decision on the application.

Mr. Connor again requested that the Board delay their decision.

Mr. Windram again said that Verizon would create healthy competition in the Village.

After further discussion, a motion was made by Howard Richman and seconded by Marion Ben-Jacob to close the public hearing.

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

Mayor Goldsmith asked that Board members if they had any comments. The Board members feel that the competition between providers would be good for the Village.

A motion was made by Howard Richman and seconded by Marion Ben-Jacob to approve the following resolution.

RESOLUTION #56-08

RESOLVED, that the proposed Cable Franchise Agreement By and Between the Village of Wesley Hills, New York and Verizon, New York, Inc. a copy of which proposed agreement is made a part of the Minutes of this Board, is hereby accepted; and that the mayor is hereby authorized to indicate the approval of such agreement by signing the said proposed agreement on behalf of the Village of Wesley Hills.

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

The resolution was approved with a vote of 4 ayes and 0 nays.

A motion was made by Howard Richman and seconded by Brett Bekritsky to approve the following resolution.

RESOLUTION #57-08

RESOLVED, that the general fund claims #337 through #364 in the aggregate amount of \$108,377.25, as set forth in Abstract #5/08 dated May 13, 2008, a copy of which abstract of audited claims is made a part of the minutes of this Board, are hereby approved.

The following vote was taken: Mayor Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

A motion was made by Howard Richman and seconded by Marion Ben-Jacob to approve the following resolution.

RESOLUTION #58-08

RESOLVED, that parks and recreation fund claim # 194 through #195 in the amount of \$4,599.00, as set forth in Abstract # PR 3/08 dated May 13, 2008, a copy of which audited claim is made a part of the Minutes if this Board, is hereby approved.

The following vote was taken: Mayor Goldsmith-yes, Howard Richman-yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.

Mayor Goldsmith and the Board members then discussed the stone wall that was constructed in the conservation easement at Rabbi Senter's house and a letter from the Village Engineer. The Mayor and the Board members feel that it would create more damage to remove the wall than to leave it in place.

Mayor Goldsmith then discussed the graffiti that was drawn in Lime Kiln Park. Mayor Goldsmith said that he had an estimate of \$350.00 for removal of the graffiti. The Board members all agreed to the removal fee.

Howard Richman said that the website is being moved to a new provider.

After further discussion, a motion was made by Brett Bekritsky and seconded by Marion Ben-Jacob to adjourn the meeting.

The following vote was taken: Mayor David Goldsmith-yes, Howard Richman-0yes, Marion Ben-Jacob-yes, Brett Bekritsky-yes.