

Village of Wesley Hills  
Village Board Meeting-June 23, 2009

The meeting was called to order by Mayor David Goldsmith at 7:03 P.M.

Present: David Goldsmith-Mayor, Ed McPherson-Deputy Mayor, Howard Richman-Trustee, Brett Bekritsky-Trustee.

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

Absent: Marion Ben-Jacob

A motion was made by Ed McPherson and seconded by Howard Richman to approve the following resolution.

RESOLUTION # 48-09

RESOLVED, that general funds claims # 1 through #26 in the aggregate amount of \$110,916.05 as set forth on Abstract # 6/09, dated June 23, 2009, 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, Ed McPherson-yes, Howard Richman-yes, Brett Bekritsky-yes.

The resolution was carried with a vote of 5 ayes and 0 nays.

Mayor Goldsmith said that there were several double payments of taxes to the Village by the Banks or Mortgage Companies and that the Village must do a resolution in order to return the overpayments.

A motion was made by Howard Richman and seconded by Ed McPherson to approve the following resolution.

RESOLUTION # 49-09

WHEREAS, DAVID & LANA STEINER, owners of a parcel of real property designated on the Town of Ramapo Tax Map as Section 41.7, Block 1, Lot 13, have applied to the Board of Trustees of the Village of Wesley Hills for a refund of an overpayment of their 2009 Village Tax, and

WHEREAS, DAVID & LANA STEINER have presented proof to the satisfaction of the Board of Trustees that an overpayment of 2009 Village Tax has been made in the sum of \$525.63,

NOW, THEREFORE, BE IT RESOLVED, that DAVID & LANA STEINER, are therefore entitled to receive a refund of \$525.63, and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby directed to remit the sum of \$525.63 to David & LANA STEINER, forthwith for such refund.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Brett Bekritsky-yes.

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

A motion was made by Ed McPherson and seconded by Brett Bekritsky to approve the following resolution.

RESOLUTION # 50-09

WHEREAS, AVERY & TOBY EISENREICH, owners of real property designated on the Town of Ramapo Tax Map as Section 41.13, Block 1 Lot 32.1, have applied to the Board of Trustees of the Village of Wesley Hills for a refund of an overpayment of their 2009 Village Tax, and

WHEREAS, AVERY & TOBY EISENREICH, have presented proof to the satisfaction of the Board of Trustees that an overpayment of 2009 Village ax has been made in the sum of \$1,365.45,

NOW, THEREFORE, BE IT RESOLVED, that AVERY & TOBY EIESNERICH, are hereby entitled to receive a refund of \$1,365.45, and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby directed to remit the sum of \$1,365.45 to AVERY & TOBY EISENERICH, forthwith for such refund.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Brett Bekritsky-yes.

The resolution was carried with a vote of 5 ayes and 0 nays.

A motion was made by Howard Richman and seconded by Ed McPherson to approve the following resolution.

RESOLUTION #51-09

WHEREAS, ISRAEL M. & FAIGA B. REICH, owners of a parcel of real property designated on the Town of Ramapo Tax Map as Section 41.16, Block 1, Lot 72, have applied to the Board of Trustees of the Village of Wesley Hills for a refund of an overpayment of their 2009 Village Tax, and

WHEREAS, ISRAEL M. & FAIGA B. REICH, have presented proof to the satisfaction of the Board of Trustees that an overpayment of 2009 Village Tax has been made in the sum of \$568.69,

NOW, THEREFORE, BE IT RESOLVED, that ISRAEL M. & FAIGA B. REICH, are therefore entitled to receive a refund of \$568.69, and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby directed to remit the sum of \$568.69 to ISRAEL M. & FAIGA B. REICH, forthwith for such refund.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Brett Bekritsky-yes.

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

At this time Mayor Goldsmith and the Village Board members discussed the proposed law for professional fees to be reimbursed to the Village. Mayor Goldsmith said that many times there are additional inspections by the Engineer and the Village is not reimbursed for these inspections.

Mayor Goldsmith then discussed the escrow requirements that are in place for all new applications that appear before the Village, Planning and Zoning Boards.

Ben Selig said that there is a TAC meeting now in place (the first Wednesday of the month), and at the meeting the Attorney will meet with the Village Planner and the Engineer to decide the amount of escrow each application will require.

At this time Mayor Goldsmith discussed the Eisenreich property with the Board members. Mayor Goldsmith said that workers on the Eisenreich job put a truck in the wrong gear and the truck went over the hill onto the neighbors property located at the bottom of the hill. Mayor Goldsmith said that no one was injured. Mayor Goldsmith then said that the Building Inspector issued a Stop Work Order on the Eisenreich property for a tree house that is being constructed illegally. Mr. and Mrs. Eisenreich never took out a permit to construct the tree house and it appears that the required setbacks were not met. Mayor Goldsmith then said that Mr. Eisenreich wants to have a Certificate of Occupancy for his house but there is much work to be completed on the property. Mayor Goldsmith said that the Engineer wants an escrow fee in the amount of \$218,400.00 in place before a Temporary Certificate of Occupancy is issued. Mayor Goldsmith and the Board members discussed the enormity of the job site and all the problems that have occurred on the site.

Mayor Goldsmith then discussed a letter from Ronald E. Graiff, P.E., Radio Frequency Engineer, who is currently representing the Village in an application before the Planning Board.

Mayor Goldsmith said that a representative from JNS Towers, LLC. was to have appeared before the Board, but the representative came down with the flu. Mayor Goldsmith said that they may appear before the Board at a later date.

Mayor Goldsmith then discussed a proposal from the Town of Ramapo regarding the paving of East Willow Tree Road, from Route 306 to Mark Drive. Mayor Goldsmith said that the estimate for the job is \$65,000.00, but Mayor said that he hopes that the estimate is higher than the actual job will cost. Mayor Goldsmith and the Board members decided that they would like the work completed as soon as possible.

Mayor Goldsmith then discussed Timber Trail with the Board members. Mayor Goldsmith said that the Village is working out the details with Bruce Smith (Environmental Construction), and Tony Sharan

(Highway Supervisor for the Town of Ramapo). Mayor Goldsmith said that the Town has committed to supplying all the pipes, gravel etc. for the job and this would help in keeping the costs down.

Mayor Goldsmith then discussed work that was done on Baker Lane. Mayor Goldsmith said that the Village received a complaint from Mona Montal of 9 Baker Lane. Mrs. Montal complained that her pool liner has been replaced a few times since the Village completed work on Baker Lane. Mayor Goldsmith said that he asked the Village Engineer to inspect the site. The Village Engineer said that there appears to be high groundwater which causes the liner to float and suggested that the homeowner install an underdrain system around the swimming pool.

Mayor Goldsmith and the Board members then reviewed the law for property maintenance with Ben Selig. Mr. Selig said that the Village may cut the grass after fourteen days and then the Village Board would have to do a resolution to place a tax lien on the property in order to reimburse the cost of the lawn maintenance to the Village. Mayor Goldsmith and the Board members also discussed the possibility of having appearance tickets issued to non-compliant homeowners.

At this time the Board members, the Mayor and Mr. Selig discussed the IMA subdivision. Mayor Goldsmith said that Joe Zazon, previous owner of the property in question, was required to go to the ZBA for relief from lot size, frontage, etc. The application was approved and one of the conditions of approval by the ZBA was that 40 trees be planted on the north and 40 trees be planted on the south side of the property. Mayor Goldsmith said that Mr. Zazon wanted to plant the trees, but he said that there is no room to plant 80 trees. Mr. Selig advised the Board that Mr. Zazon must return to the ZBA for their review of the issue.

After further discussion. A motion was made by Howard Richman and seconded by Brett Bekritsky to adjourn the meeting.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Brett Bekritsky-yes.