

The Village of Wesley Hills  
Village Board Meeting-August 18, 2009

The meeting was called to order by Mayor David Goldsmith at 7:06 P.M.

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

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

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

RESOLUTION # 61-09

RESOLVED, that the minutes of the Board of Trustees of the Village of Wesley Hills, on July 21, 2009, as submitted by the Village Clerk, be approved, and that the reading of such minutes be waived.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Marion Ben-Jacob-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 # 62-09

RESOLVED, that the agreement between Mountainside Stables and the Pony Express and the Village of Wesley Hills to provide two ponies and a large animal petting zoo as part of the recreation and entertainment for Wesley Hills Day scheduled for September 13, 2009, a copy of which 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 agreement on said document on behalf of the Village of Wesley Hills.

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

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

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

RESOLUTION # 63-09

RESOLVED, that the 2009 Stormwater II Education Program Agreement between Cornell University Cooperative Extension and the Village of Wesley Hills, a copy of which 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 agreement on said agreement on said document on behalf of the Village of Wesley Hills.

The following vote was taken: Mayor Goldsmith-yes, Ed McPherson-yes, Howard Richman-yes, Marion Ben-Jacob-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 # 64-09

WHEREAS, the Board of Trustees of the Village of Wesley Hills, effective April 22, 2009, adopted a Revised Village of Wesley Hills Fee Schedule and

WHEREAS, the Board of Trustees of the Village of Wesley Hills, effective July 21, 2009, adopted an amendment to the said Revised Village of Wesley Hills Fee Schedule, and

WHEREAS, the Board of Trustees of the Village of Wesley Hills has determined to add to said Fee Schedule a new section, 22, dealing with fees due and payable to the Wesley Hills Fire Inspector,

NOW, THEREFORE, BE IT RESOLVED, that the Fee Schedule of the Village of Wesley Hills be and the same is hereby further amended in the form annexed hereto, effective the date hereof, a copy of which Amended/Revised Village of Wesley Hills Fee Schedule is annexed and made a part hereof.

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.

At this time Mayor Goldsmith discussed the TAC meetings with the Board members. Mayor Goldsmith said that the consultants are paid from the escrow that the applicants have on deposit with the Village. Mayor Goldsmith asked the Board members if they wanted to continue with the current plan, or would they prefer charging the \$500.00 flat fee for the applicant to appear at the TAC meetings and discontinue the escrow.

After discussing the matter Mayor Goldsmith and the Board members decided to abolish the \$500.00 fee for TAC meetings and use the monies that are in escrow to pay the consultants fees.

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

RESOLUTION # 65-09

RESOLVED, that general fund claims # 51 through # 71 in the aggregate amount of \$100,237.01, as set forth in Abstract # 8/09 dated August 18, 2009, a copy of which abstract if audited claim is made a part of the Minutes of this Board.

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

Marvin Nyman then discussed the increase in the Oxford Health Insurance rate with the Board members. Mr. Nyman said that the Village reviewed the Empire Plan (the insurance plan that is offered from New York State), and found the rates to be less and that the plan appears to be as good or superior to the existing Oxford plan.

Mayor Goldsmith, the Board members and Mr. Nyman then discussed the Oxford insurance plans submitted by Dennis Dale, and the details of the Empire Plan.

At this time Judge Schnelwar spoke and said that he is a full time employee and that he pays approx. \$27,000.00 a year for his family's health insurance plans. Judge Schnelwar then said that his son is disabled and he would like to continue with the Oxford plan.

Mayor Goldsmith said that due to the large increase of the Oxford policy, perhaps the judge (if he wants to continue with Oxford) should look into the option of continuing the Oxford plan separate and apart from the Village.

Judge Schnelwar said that he would look into both plans, and decide how best to proceed.

At this time, Mayor Goldsmith discussed a letter from Mr. & Mrs. Makowsky of 9 Deerwood Road, in Wesley Hills.

Mayor Goldsmith said that Mr. & Mrs. Makowsky mailed a letter of complaint, dated August 12, 2009 regarding 11 Deerwood Road, to Brain Brooker, Village Engineer, Richard Weinberger, Chairman of the Zoning Board, Marshall Katz, Chairman of the Planning Board and to all the Village Board members.

Mayor Goldsmith then said that John Layne, the Village's Building Inspector, had inspected 11 Deerwood Road (when Mr. & Mrs. Makowsky first began complaining about the patio construction etc.) the property in question, on several different occasions. Mr. Layne said that he found that nothing being done that was improper or would require

a Building Permit. Mayor Goldsmith then said that he requested that Mr. Layne revisit the property on today's date, which was done and again Mr. Layne found nothing improper being constructed.

Mayor Goldsmith discussed the increase of \$10.00 per month that Verizon FIOS will be imposing on their customers.

At this time Mr. Selig discussed the T-Mobile application. Mr. Selig said that he has been in contact with the T-Mobile representatives, and that they have submitted a proposal to the Village regarding the placement of the tower. Mr. Selig said that Ron Graiff (telecommunication expert for the Village) did not want to discuss the placement of the tower, because he feels that that is an engineering and Village planner issue. Mr. Graiff feels that it would be more desirable to place the required building for the tower by the woods and that the faux tree type tower can hold more carriers for more co-location. Mr. Selig then said that revenues generated will depend on the type of tower installed, but that the application is in a very preliminary stage.

Mayor Goldsmith then discussed with the Board members the Nike site. Mayor Goldsmith said that he has received phone calls from residents saying that it appears that people may be living in the apartments on the site. Mayor Goldsmith advised the Board members that the Village is still waiting for a decision from Judge Nicolai's chambers regarding the Temporary Restraining Order that is in place

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, Marion Ben-Jacob-yes, Brett Bekritsky-yes.