

The Village of Wesley Hills
Village Board meeting-October 6, 2009

The meeting was called to order by Mayor David Goldsmith at 7:00 P.M.

Present:

David Goldsmith-Mayor, Ed McPherson-Deputy Mayor, Howard Richman-Trustee,
Marion Ben-Jacob-Trustee.

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

Absent: Brett Bekritsky-Trustee.

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

RESOLUTION # 71-09

RESOLVED, that the minutes of the Board of Trustees of the Village of Wesley Hills, on September 22, 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.

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

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

RESOLUTION # 72-09

RESOLVED, that general funds claims # 105 through # 106 and #'s 108 through #'s 117 in the aggregate amount of \$85,175.12, as set forth on Abstract # 10/09, dated October 6, 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, Marion Ben-Jacob-yes.

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

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

RESOLUTION # 73-09

RESOLVED, that parks and recreation fund claim # 197, in the amount of \$50.00, as set forth in Abstract # P&R No. 5/09, dated October 6, 2009, a copy of which abstract of 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.

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

Ben Selig discussed the application for the cell tower to be located at Village Hall. Mr. Selig said that he is in the process of drafting the lease with Omnipoint (for the proposed cell tower at Village Hall) and that no particular site on the property has yet been determined.

Mr. Selig then said that the lease must be in place before the application can go to the Planning Board and that the applicant does not want to withdraw their original application until the new lease agreement is agreed upon. Mr. Selig said that the Planning Board feels that the Village Hall site is superior to the originally proposed site at the gas station.

Mayor Goldsmith discussed the TAC meeting procedure with Ben Selig and the Board members.

Mayor Goldsmith said that there appears to be confusion regarding TAC meeting procedure. Mayor Goldsmith then said that it his understanding that TAC meetings were specifically created for pre-attendance to a Board meeting and that the applicant was to submit an application to Village Hall before they could appear at a TAC meeting.

After further discussion regarding TAC meetings, it was decided that the meetings should be used specifically for guidance purposes and that not all applications that go before the Boards need appear at TAC meetings.

Mayor Goldsmith then said that the homeowner from Route 306 and Lime Kiln Road may be coming in to discuss the possibility of changing the zoning on his property from residential to business. Mayor Goldsmith said that the State is probably going to take part of his property for the construction of sidewalks and that it is odd situation because of the walls holding the front yard in place, and the close proximity of the house to Route 306.

Marion Ben-Jacob then announced that the Hillcrest Fire Department is holding an open on Sunday, October 25, 2009 and all are invited to attend.

Ben Selig then discussed the Rosenblum case with the Mayor and the Board members. Mr. Selig said that the meeting with the Judge is scheduled for October 16, 2009, the matter will be heard in Rockland County, and it appears that all the witnesses are good to go.

Mr. Selig discussed the Nike Base lawsuit and said that there should be a decision within the next thirty days on this matter.

Ben Selig said that after review by the Appellate Division, Allan McGeorge, attorney for Mr. Marcus served a Notice to Admit in response to which Ben Selig on behalf of the Village sought a Protective Order, returnable before Judge Berliner, on September 25, 2009, Mr. McGeorge requested an adjournment of the Motion for the Protective Order and Mr. Selig advised that he had no problem with said adjournment as long as Judge Berliner was agreeable. Thereafter no opposition to the Protective Order was received and we are now waiting for a decision from the Court.

Mr. Selig then said that at the Planning Board meeting, Mr. Marcus produced no experts and was told by the Board that he should be prepared to present his case by the next meeting scheduled for October 28th, 2009, as he has had more than enough time to do so.

Mayor Goldsmith then asked Mr. Abrams, Code Enforcement Officer for the Village of Wesley Hills, what was happening on the Hansinger matter.

Mr. Abrams said that he sent an Appearance Ticket to Mr. Hansinger.

A motion was made by Howard Richman and seconded by Marion Ben-Jacob to adjourn the meeting.

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