

VILLAGE OF WESLEY HILLS
VILLAGE BOARD MEETING
MAY 9, 2006

PRESENT: Mayor R. Frankl
Deputy Mayor E. Mc Pherson
Trustee D. Goldsmith
Trustee D. Gantshar
Trustee H. Richman
Village Attorney, F. Brown
Village Clerk J. Pagliaroli

The meeting was opened at 8:00 p.m. by Mayor Frankl. Mayor Frankl opened the public hearing for the proposed local law entitled "A Local Law Superseding the Provisions of Section 3 of the Public Officers Law in Relation to Residency of the Justice Court Clerk" at 8:00 PM. There was no comment from the public. Trustee Goldsmith made a motion to close the public hearing at 8:03 P.M. Trustee Goldsmith made the following resolution:

RESOLUTION 58-06

RESOLVED, that the proposed local law entitled "A Local Law Superseding the Provisions of Section 3 of the Public Officers Law in Relation to Residency of Justice Court Clerk" is hereby approved and enacted as Local Law No. 1 of 2006.

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

Mayor Frankl opened the public hearing at 8:05 PM on 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 to Establish Two New Zoning Districts and to Amend the Zoning Map of the Village of Wesley Hills" Mr. Brown informed the Board that the Public Hearing has to be adjourned because no information has been submitted. Trustee Goldsmith made the following resolution;

RESOLUTION 59-06

RESOLVED, that the public hearing on 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 to Establish Two New Zoning Districts and to Amend the Zoning Map of the Village of Wesley Hills" is hereby adjourned until July 11, 2006 at 8:00 P.M.

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

The public hearing regarding the regulation of permitted size of dwellings was scheduled to be heard next. Mr. Brown inquired if any opinions had been received from the Rockland County Department of Planning. The Village Clerk informed him that none had been received as of yet. Mr. Brown informed the Board that the Public Hearing should be continued until the comments from the R.C. Planning Department were received. Trustee Goldsmith made the following resolution:

RESOLUTION 60-06

RESOLVED, that the public hearing on 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 Concerning the Regulation of Permitted Size of Dwellings" is hereby adjourned until May 23, 2006 at 8:00 P.M.

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

Mr. R. Feeder was before the Board regarding the continuation of a public hearing on proposed amendment to the Zoning Law concerning additional special permit uses. Mr. Feeder read a letter into the record regarding his objection to this law. Ms. Susan Mair read a letter into the record against the passage of this law. Mr. Marcus was before the Board criticizing the EAF and talking about the comments of the Rockland County Planning Board. He read comments from the R. C. Health Department regarding environmental concerns and regarding information submitted regarding cancer clusters. Alan Mc George, Esq. was before the Board making comments about the stipulation. He gave the Board members copies of decisions he feels supported his position regarding the stipulation. Susan Mair handed in a petition signed by 360 residents opposing the proposed change in the zoning law. Mr. Marcus handed in another petition and asked the Board to take a vote on the proposed law. Mr. Jim Wickes asked that what Mr. Feeder and Mrs. Mair read be entered into the file. Trustee Goldsmith asked why the Board should adjourn this item. Trustee Richman stated that he is not getting any sense that either side is making any headway toward mediation. Trustee Gantshar said that he made calls and made a surprised visit to the site. Trustee Gantshar asked again that mediation take place around a table face-to-face. A correction was made to the March 14, 2006 minutes. Mr. Brown said that he had questions regarding the validity of the petitions. Trustee Gantshar stated that he believed he was misinformed about

the willingness to mediate. Mr. Brown asked if the Board felt that it was important to have the legal aspect of this item discussed again. Trustee Gantshar asked about spot zoning. Mr. Brown stated that it was his legal opinion that this is not spot zoning. He stated that if this was spot zoning it would not have come this far. He said that he is very confident that this is not spot zoning. Mr. Brown continued that the attacks on the stipulation are erroneous; firstly because the matter of the stipulation is not before the Board; and, secondly, the case law given to the Board did not apply. Deputy Mayor McPherson made the following motion:

RESOLUTION 62-06

RESOLVED, that the public hearing on 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 to Authorize Additional Special Permit Uses" is hereby adjourned until June 13, 2006 at 8:00 P.M.

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

Trustee Gantshar asked for changes to be made to the April 11th Village Board Meeting Minutes. The changes were discussed by the Board. Trustee Goldsmith made the following resolution:

RESOLUTION 63-06

RESOLVED, that the Minutes of the meeting of the Board of Trustees of the Village of Wesley Hills on April 11, 2006, with changes requested, be approved, and that the reading of such Minutes be waived.

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

Mr. Makowski was before the Board stating that Deerwood Road was full of potholes.

The Village Clerk reported that there were several open burn permits issued by the Village Hall and that if any one needed a permit they must apply at the Village Hall.

Mayor Frankl reported that he was advised by a member of the R.C. Legislature that there may be money available for a flashing red light. Discussion was held

regarding an accident at Lime Kiln and Route 306. Trustee Goldsmith suggested a sign be installed indicating "stop here" because the light is a sensor light and changes when a car is over the sensor in the street. Trustee Richman said that it should be put in the newsletter.

Mr. Israel was before the board and asked about the flashing light and stop signs. He was informed that the Village will be installing the flashing light but studies must be done first. Mr. Finker suggested a device that took pictures of speeders should be installed.

Trustee Goldsmith made the following resolution:

RESOLUTION 64-06

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 2006-2007 fiscal year.

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 2006-2007 with a tax rate of 8.7757 per thousand dollars of assessed valuation:

General Funds:	\$1,052,058.00
----------------	----------------

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

Trustee Richman requested that his name be removed from the list attending the NYCOM Meeting because he could not attend. Trustee Goldsmith made the following resolution:

RESOLUTION 65-06

RESOLVED, that Trustees David Gantshar is hereby authorized to attend the NYCOM 97th Annual Meeting and Training School program to be held from June 11 to June 14, 2006 at Saratoga Springs, New York, and that the expenses of such Trustee for attending such program, including lodging and transportation expenses, shall be paid by the Village of Wesley Hills.

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

Trustee Goldsmith made the following resolution:

RESOLUTION 66-06

WHEREAS, a building permit was issued to David Lichtenstein for the construction of a one-family dwelling at 5 Grand Park Drive, and

WHEREAS, said building permit was extended by the Building Inspector for an additional year pursuant to Section 8.1.5.5 of the Zoning Law of the Village of Wesley Hills, and

WHEREAS, the construction authorized by said building permit was not completed by the end of such extension period, and no further extension is allowed by the Zoning Law, thus requiring the issuance of a new building permit for the completion of such construction, and

WHEREAS, only a small amount of additional construction work remains to be completed, requiring only a small amount of additional inspection work by the Building Inspector and Village Engineer,

NO, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby determines that the collection of a full building permit fee as specified in the Fee Schedule of the Village of Wesley Hills for the reissuance of a building permit for the completion of such construction is not reasonable, in light of the limited amount of inspection work required to be performed, and

BE IT FUTHER RESOLVED, that the Board of Trustees hereby authorizes the re-issuance of a building permit for the completion of such construction at 5 Grand Park Drive upon the payment of an additional fee of \$750.00, on the condition that such re-issued building permit shall expire one month after the re-issuance thereof.

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 67-06

WHEREAS, a building permit was issued to Edward Schechter for the construction of a one-family dwelling at 120 East Willow Tree Road, and

WHEREAS, said building permit was extended by the Building Inspector for an additional year pursuant to Section 8.1.5.5 of the Zoning Law of the Village of Wesley Hills, and

WHEREAS, the construction authorized by said building permit was not completed by the end of such extension period, and no further extension is allowed by the Zoning Law, thus requiring the issuance of a new building permit for the completion of such construction, and

WHEREAS, only a small amount of additional construction work remains to be completed, requiring only a small amount of additional inspection work by the Building Inspector and Village Engineer,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees hereby determines that the collection of a full building permit fee as specified in the Fee Schedule of the Village of Wesley Hills for the reissuance of a building permit for the completion of such construction is not reasonable, in light of the limited amount of inspection work required to be performed, and

BE IT FUTHER RESOLVED, that the Board of Trustees hereby authorizes the re-issuance of a building permit for the completion of such construction at 120 East Willow Tree upon the payment of an additional fee of \$330.00, on the condition that such re-issued building permit shall expire two months after the re-issuance thereof.

The resolution was seconded by Trustee Richman and so carried with 5 ayes and 0 nays,

Trustee Gantshar made the following resolution:

RESOLUTION 68-06

RESOLVED, that the Board of Trustees hereby affirms its intention to arrange for the installation of a flashing traffic signal at the intersection of Wilder Road/Forshay Road with Willow Tree Road upon the completion of the necessary engineering studies as heretofore directed by this Board to be performed by the Village Engineer.

The resolution was seconded by David Goldsmith and so passed with the following vote: Mayor Frankl, aye; Deputy Mayor McPherson, nay; Trustee Goldsmith, aye; Trustee Richman, aye; Trustee Gantshar, aye.

Trustee Goldsmith made the following resolution:

RESOLUTION 69-06

RESOLVED, that general fund claims #369 through 383 and #385 in the aggregate amount of \$503,212.83 as set forth in Abstract #5-06 dated May 9, 2006, 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 a vote of 5 ayes and 0 nays.

Trustee Goldsmith made the following resolution:

RESOLUTION 70-06

RESOLVED, that a special meeting of the Board of Trustees of the Village of Wesley Hills shall be held on May 23, 2006 at 8:00 P.M. at the Village Hall, 432 Route 306, for the following purposes:

- (1) consideration of proposed amendment to Zoning Law concerning permitted size of dwellings; and
- (2) such other matters as may properly be brought before the Board of Trustees.

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

Mr. Brown informed the Board that he has spoken to Mr. Osterman regarding the law needed to dissolve the ARB. He will be working on this and will present a draft to the Board for their consideration. Mr. Brown will also give the Board a law regarding the calculations for lot coverage for the proposed R13 and R20 zoning areas for their consideration.

Trustee Gantshar noted the letter in the packet that Department of Transportation Money could be used for a traffic light.

Trustee Goldsmith noted the memo in the packet regarding the paving of the end of Timber Trail. He asked that the Village Clerk reaffirm to Dr. Stone that he lives

on a private portion of that road and the Village is not responsible for paving that section.

Trustee Goldsmith stated that one Building Inspector, Bill Moriarity, is leaving the first of June and that we must look for another Building Inspector. Trustee Richman suggested that we change the gas allowance to \$.50 per mile instead of the \$50. per month. Mayor Frankl stated that would not be possible.

Trustee Goldsmith made the following resolution:

RESOLUTION 71-06

RESOLVED, that the rate of compensation of the Building Inspector shall be \$30.00 per hour, effective June 1, 2006, and that in addition the Building Inspector shall be entitled to reimbursement for his transportation expenses at the rate of \$50.00 per month, effective June 1, 2006.

The resolution was seconded by Trustee Richman and was so carried with the following vote: Mayor Frankl, aye; Deputy Mayor Mc Pherson, aye; Trustee Goldsmith, aye; Trustee Richman, nay and Trustee Gantshar, nay.

Trustee Gantshar asked about the Weinberger subdivision. Mayor Frankl said that Mr. Osterman has not returned his call. Trustee Gantshar said he would call Mr. Osterman regarding this matter.

Trustee Gantshar noted that Mr. Factor has been complaining about the Schankman property. This will be followed up by Mayor Frankl.

Trustee Gantshar suggested that an ad hoc committee be put together to address the issue of parking at neighborhood gatherings. Trustee Richman and he will choose 12 people to be on the committee and the first meeting will be next Tuesday at 8:30 P.M.

Trustee Gantshar said that he would like to have the Board do something in memory of Mons. Sarcamon. He suggested a tree planting and a plaque.

Trustee Gantshar made the following resolution:

RESOLUTION 72-06

RESOLVED, that the Board of Trustees hereby approves the purchase of a tree and a memorial plaque in honor of Monsignor Robert D. Saccamon, to be planted and installed in Gregory Sikorsky Park.

VILLAGE OF WESLEY HILLS
VILLAGE BOARD MEETING

MAY 9, 2006
PAGE 9

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

Motion was made by Trustee Goldsmith to adjourn and was so carried.

Respectfully submitted

Julie Pagliaroli
Village Clerk