

VILLAGE OF WESLEY HILLS  
VILLAGE BOARD MEETING  
August 8, 2006

PRESENT: Mayor R. Frankl  
Deputy Mayor E. Mc Pherson  
Trustee D. Goldsmith  
Trustee D. Gantshar (arrived late)  
Trustee H. Richman  
Village Attorney, F. Brown  
Deputy Village Attorney, B. Selig  
Deputy Village Clerk B. Cartaya

ABSENT Village Clerk J. Pagliaroli

Meeting was called to order by Mayor Frankl at 8:03 P.M.

First item on the agenda was the continuation of the public hearing opened at 8:04 p.m. Mr. Brown explained that no decision could be made tonight because the Planning Board hasn't completed its SEQRA review. Ben Selig told the Village Board of a meeting that he had had with Paul Savad, David Kwilecki and Dan Kwilecki at which time Mr. Selig confirmed this Board's decision not to enlarge the impervious surface ratio. They decided that they will withdraw the request made at last month's meeting for such enlargement. Mr. Kwilecki engineer believes that the recent substitution of maximum building coverage for floor area ratio will impact adversely on his application. Mr. Selig was advised by Mr. Savad that Mr. Kwilecki will submit a revised subdivision plat that fully complies with the Stipulation; because the Stipulation provides a floor area ratio standard, he believes he must comply with that standard (as it then existed) and not the new maximum building coverage standard. In order to have larger-size houses, the plat probably will have to have fewer lots. Marvin Finker asked if the Planning Board would have to hold a new public hearing on the revised plat. Messrs. Brown & Selig said no, because the hearing at the Planning Board is being continued and will now relate to the new plat. Neil Marcus, Ron Steiner and Jay Saunders spoke against the application. Trustee Goldsmith made the following resolution:

**RESOLUTION 88-06**

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 September 12, 2006 at 8:00 P.M.

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 89-06**

RESOLVED, that the Minutes of the meeting of the Board of Trustees of the Village of Wesley Hills on July 11, 2006, as submitted by the Village Clerk, will corrections, be approved, and that the reading of such Minutes be waived.

The resolution was seconded by Deputy Mayor Mc Pherson and so carried with a vote of 3 ayes 0 nays and 2 abstentions of Trustee Gantshar and Trustee Richman.

Sara Leibowitz of 483 Route 306 was before the board with a complaint about the noise from car stereos at the Mobil station. Mr. Brown explained that the problem is an apparent violation of Penal Law Section 240.20 proscribing disorderly conduct such as recklessly or intentionally causing unreasonable noise. Mayor Frankl will ask the Ramapo Police to enforce this law. The Board also asked Mr. Brown to draft an amendment to the Village's noise law addressing this situation. The draft law will be presented at the September Workshop Meeting.

Deputy Mayor Mc Pherson made the following resolution:

**RESOLUTION 90-06**

WHEREAS, on June 20, 2006 Hamaspik of Rockland County paid \$165.00 to the Village of Wesley Hills as an application fee for a building permit for a new shed and new fence, and

WHEREAS, it subsequently was determined by the Building Inspector that the proper application fee for such building permit should have been \$145.00.

NOW, THEREFORE, BE IT RESOLVED, that the sum of \$20.00 which represents the excess portion of such building permit fee that was paid shall be refunded by the Village of Wesley Hills to Hamaspik of Rockland County, and

BE IT FURTHER RESOLVED, that the Village Treasurer is hereby directed to make payment accordingly.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 91-06**

RESOLVED, that Environmental Construction, Inc. is hereby retained to provide services to install catch basins and pipe and assemble recreation equipment in Gregory Sikorsky Park, and that the proposal of Environmental Construction, Inc. to perform such services as set forth in its Proposal dated August 1, 2006, a copy of which is made a part of the Minutes of this Board, is hereby accepted for a total price of \$6,900.00, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute the Acceptance of such Proposal on behalf of the Village of Wesley Hills.

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

Trustee Gantshar made the following resolution:

**RESOLUTION 92-06**

RESOLVED, that Mr. John, Inc. is hereby retained to provide temporary restroom services for Wesley Hills Day; and that the proposal of Mr. John, Inc. to perform such services as set forth in its proposed Agreement letter dated July 26, 2006, a copy of which is made a part of the Minutes of this Board, is hereby accepted for a total price of \$479.75, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said Agreement on behalf of the Village of Wesley Hills.

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 93-06**

RESOLVED, that the 2006 Stormwater Education Contract with Cornell Cooperative Extension for the provision of public education and outreach services to Village residents and municipal employees, a copy of which is made a part of the Minutes of this Board, is hereby accepted for a total price of \$1,000.00, and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute said Contract on behalf of the Village of Wesley Hills.

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

Mayor Frankl announced that there was a vacancy on the Planning Board due to the resignation of Joel Feldman. Trustee Goldsmith made the following resolution:

**RESOLUTION 94-06**

RESOLVED, that Marvin Finker is hereby appointed as a regular member of the Planning Board of the Village of Wesley Hills in lieu of his previous position as first alternate member thereof, for the balance of the term expiring in April, 2008.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 95-06**

RESOLVED, that Uri Kirschner is hereby appointed as first alternate member of the Planning Board of the Village of Wesley Hills in lieu of his previous position as second alternate member thereof, for the balance of the term expiring in April, 2007.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 96-06**

RESOLVED, that Ester Ben-Dov-Shucht is hereby appointed as second alternate member of the Planning Board of the Village of Wesley Hills for the balance of the term expiring in April, 2007.

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 97-06**

WHEREAS, the Board of trustees of the Village of Wesley Hills deems it to be in the interests of the Village to consider the enactment of a local law amending the Zoning Law of the Village of Wesley Hills in order to transfer the functions of the Architectural Review Board to the Planning Board in anticipation of the elimination of the Architectural Review Board, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared such a 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 Required Architectural Review of Buildings", and

WHEREAS, by Resolution number 79-06 adopted on June 13, 2006, this Board has determined that the enactment of such local law will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act, and

WHEREAS, by the same Resolution, such proposed local law was referred to the Planning Board and various Village Officials for review and report in accordance with the provisions of Section 13.5 of the Zoning Law of the Village of Wesley Hills, and reports have been received orally or in writing from such Board and all such officials,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of the Municipal Home Rule Law and Section 7-706 of the Village Law, a public hearing on the adoption of such proposed local law, as so revised, shall be held before the Board of Trustees of the Village of Wesley Hills, on the 12<sup>th</sup> day of September, 2006, at 8:00 P.M., at the Village Hall, 432 Route 306 in the Village of Wesley Hills, at which hearing citizens shall have an opportunity to be heard with respect to such local law, and

BE IT FURTHER RESOLVED, that the notice of the time and place of such public hearing shall be published and posted by the Village Clerk at least 10 days in advance of such time in the manner provided by law.

The resolution was seconded by Trustee Gantshar. Discussion of the proposed law followed. Mr. Brown explained the law. Mr. Selig explained comments from the Planning Board. After discussion it was decided to hold the public hearing on the proposed law without changes. The Resolution was so carried with a vote of 5 ayes and 0 nays.

Trustee Goldsmith made the following resolution:

**RESOLUTION 98-06**

WHEREAS, the Board of Trustees of the Village of Wesley Hills deems it to be in the interest of the Village to consider the enactment of a local law abolishing the Architectural Review Board of the Village of Wesley Hills, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared such a proposed local law, a copy of which proposed local law is made a part of the Minutes of this Board,

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the enactment of such proposed local law will not have a significant effect on the environment as defined in the New York State Environmental Quality Review Act for the reason that such proposed local law is procedural only and will not permit any additional construction, and therefore such proposed local law does not involve any matter having any adverse impact on the environment; and

BE IT FURTHER RESOLVED, that in accordance with the provisions of the Municipal Home Rule Law a public hearing on the adoption of such proposed local law, entitled "A Local Law Repealing Local Law No. 2 of 1984, as Amended, to Abolish the Architectural Review Board of the Village of Wesley Hills", shall be held before the Board of trustees of the Village of Wesley Hills on the 12<sup>th</sup> day of September, 2006, at 8:00 P.M. at the Village Hall, 432 Route 306, in the Village of Wesley Hills, at which hearing citizens shall have the opportunity to be heard with respect to such proposed local law; a d

BE IT FURTHER RESOLVED that the notice of the time and place of such public hearing shall be published and posted by the Village Clerk in the manner provided by law.

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

Trustee Goldsmith made the following resolution:

**RESOLUTION 99-06**

RESOLVED, that general fund claims #53, 55 through 64 and 66 through 81 in the aggregate amount of \$85,294.62 as set forth in Abstract #8-06 dated August 8, 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 Trustee Richman and so carried with a vote of 5 ayes and 0 nays.

Trustee Goldsmith made the following resolution:

**RESOLUTION 100-06**

RESOLVED, that parks and recreation fund claims #176 through 177 in the aggregate amount of \$522.50, as set forth in Abstract #PR 3-06 dated August 8, 2006, a copy of which abstract of audited claims is made a part of the Minutes of this Board, is hereby approved.

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

Mr. Ron Steiner was before the board. He discussed the meeting to be held on August 10, 2006 at 7:00 p.m. at the Lime Kiln School concerning the school district's proposed sale of the land behind the Lime Kiln School.

Discussion of the continued deposit of junk at 22 Holland Lane was held. Stephen Abrams reported that a notice of violation was sent by certified mail to the last registered owner. The Board resolved to hold a hearing pursuant to Section 4A of Local Law 1984 on August 21, 2006 at 12:00 noon. Trustee Gantshar made the following resolution:

**RESOLUTION 101-06**

RESOLVED, that a special meeting of the Board of Trustees of the Village of Wesley Hills shall be held on August 21, 2006 at 12:00 noon at the Village Hall, 432 Route 306, for the following purpose:

- (1) Public hearing pursuant to Section 4A of Local Law No. 4 of 1984 concerning the deposit of litter and debris at 22 Holland Lane.
- (2) Such other matters as may properly be brought before the Board of Trustees.

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

Discussion of sidewalks was held. The Board asked Mr. Brown to draft a law imposing maintenance responsibility on adjacent property owners.

Motion by Trustee Goldsmith to enter into executive session to discuss litigation. Motion was seconded by Deputy Mayor Mc Pherson and so carried with a vote of 5 ayes and 0 nays. The Board returned from executive session and Mayor Frankl announced no actions were taken while in executive session.

Trustee Goldsmith made a motion to adjourn and was seconded by Trustee Richmond and so carried with a vote of 5 ayes and 0 nays.

Respectfully submitted,

Julie Pagliaroli  
Village Clerk