

What's Going on at Village Hall

From
 Mayor
 Marshall
 Katz



Usually this column from the Mayor focuses on a specific topic, but there is so much going on in Wesley Hills, I will write about a wide range of issues.

New Village Logo

Many of you may have already noticed our new Village logo in the masthead above, but if not, take a look. Wesley Hills is happy to introduce our Village logo designed by Village resident, Sarah Leibowitz, whose design was chosen by our residents in a survey of those who are on the Village's email list. The Village has already begun to use the logo in our email communications and on our website and are looking into putting signage at the entrances to the Village. I'd like to thank the other residents who participated in the contest.

New Laws

The Village Board listens to our residents and regularly reviews our Village Code to determine if changes are needed. Currently these laws are in process:

- The Village recently put in place a, "Temporary and Limited Moratorium on Applications for Wireless Communication

cently passed a "Permit Procedure Law for Use of any Wesley Hills Village Park." Large groups of schools and camps have been using Greg Sikorsky Park on Lime Kiln Road, overwhelming the park's facilities, leaving trash, and causing excess wear and tear on the park's equipment. This law allows the Village to require permits for



Services Facilities." In light of the application to the Village for a Distributed Antenna System (see article on page 4), the Village realized that its current law for such an application is out-of-date with new cellular technologies. This six-month moratorium will give the Village time to write and pass an updated law.

- The Village also re-

such groups and thereby take back some control over the park's usage.

- Filming – The beauty of our Village has been attracting more commercial film shoots recently. The Village Board is currently writing a law to regulate professional filming within the Village so as to minimize its effects on neighboring properties.

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- Overnight Parking – The Village is considering some minor changes to the wording of our overnight parking law to bring it in line with

recommendations from the Ramapo Police Department.

All changes to Village Laws are presented to residents for comments at a public hearing before the Village Board. Notice of such hearings are, by law, published in the newspaper and additional notification is often sent to those people who subscribe to the Village email list.

Garbage Collection - A Smooth Process Requires Your Help

Most issues with our new trash carter have been smoothed out and complaints are down to the same level as the previous contractor. Your cooperation can make the process work even better. Please review the following information:

- Trash pickup begins at 6:00am and your trash needs to be accessible to the carters by that time. If you are concerned about bears accessing your cans, they should either be put out first thing in the morning, or you should consider obtaining bear-proof cans or enclosures.
- For most residents, trash cans are picked up at the side yard of their home, and do not need to be brought to the curb. If you do bring your cans to the curb, please return them to the side of your house after pickup.
- Trash in your cans must be bagged. Loose trash in your cans

is against the County Health Department regulations.

- Plastic bags may not be used for recycling per the regulations of the County Solid Waste Authority.



- On Wednesdays, paper recyclables should be placed at your curb by 6:00am in **BLUE** bins and other recyclables in **GREEN** bins. Bins with covers are available free at Village Hall while supplies last. It is important for the correct materials to be in the

correct color bins so that the carter's employees can easily see from the truck which materials have already been picked up.

- Cardboard boxes should be flattened, not left intact. Unflattened cardboard slows down the collection process and gets blown by the wind. In addition, **cardboard is only picked up on Wednesdays**, not on your bulk pickup day.

- Construction materials are not picked up by our contractor. Private arrangements should be made for pickup of these materials. The same goes for excessive amounts of bulk items.

- Hazardous waste materials such as electronics, paints, solvents, cleaners, motor oil and more are not picked up by our contractor and should be brought to the Household Hazardous Waste Drop-Off Facility on Fireman's Memorial Drive in Pomona.

Recycling... The App!

The Rockland County Solid Waste Management Authority has an app for your iPhone or Android device that helps you keep track of your pickup days (for trash, bulk pickup and recycling), and provides a "What goes where" database for all your trash and recyclables. Search Google Play or the App Store for "Recycle Coach".

Hazardous Waste

It should not need to be said, but **HAZARDOUS HOUSEHOLD WASTE** (and any garbage) should not be dumped at Village Hall. Materials such as paint

cans and electronics need to be brought by residents to the Hazardous Household Waste Drop-Off Center located at 35 Fireman's Memorial Drive in Pomona, only a short trip for any Wesley Hills resident. It is open 8am - 1pm weekdays and has occasional weekend hours. Our trash contractor is barred by NYS law from picking up these items, and they are not allowed to become part of the general waste stream. Full details on the Drop-Off Center may be found by clicking [HERE](#).



Wesley Hills Day - Call for Volunteers

Next year will be the 35th Anniversary of the founding of our Village, and the Village would like to plan a celebration. The Village is looking to form a citizens committee to handle all aspects of the event including planning, staffing and fundraising. If you are interested in joining this committee, please send an email to mayor@wesleyhills.org. We need a sizeable committee to plan a proper celebration, and so far only 5 people have stepped forward.

Protect our Drinking Water from Salt

Tons of salt are used every winter to make our roads and sidewalks safe. However, when the ice and snow melts, it has the potential to run into our storm drain system. As a result, salt can make its way into our creeks, lakes, and drinking water supplies. We can't stop using salt, but here are four things that you can do to reduce the amount of salt used:

- Store salt in a dry place.
- Spread a small amount prior to a storm to help prevent ice build-up.
- Wet your salt before applying, it will then stick where you want it.
- Use a commercial mix of Sodium and Calcium Chloride; it's more environmentally friendly.

To learn more about what you can do to prevent stormwater pollution visit www.rocklandcce.org or call Rockland CCE at (845) 429-7085.

This message was brought to you by Cornell Cooperative Extension and the Stormwater Consortium of Rockland County.

Walk Safely on Our Roads

With the approach of Winter, the days are shorter and it is getting darker earlier. As always, remember the following safety rules when walking on the roads:

- At night wear reflector strips (10 per household are available free at Village Hall and additional reflectors may be purchased at our cost of \$2 each).
- Walk on the side of the road facing traffic, and single-up when cars are approaching both as a courtesy to drivers, and for your safety.
- Use sidewalks where they are available, or try to walk as close to the shoulder as possible.
- Keep your children near you and walk between them and traffic.

What's Happening

Continued from page 1

Funding for Village Projects

The Village has recently applied for a Federal grant to install a sidewalk on Willow Tree Road from Route 306 to the new roundabout at Forshay Road and Wilder Road. This will connect with the sidewalk that is expected to be constructed next Spring on East Willow Tree Road. The East Willow Tree project is currently in the process of evaluating construction bids.

The Village also applied for a New York State grant to replace the culvert under Wesley Chapel Road at the intersection of Grandview Avenue. Our Village Engineer has determined that this culvert must be replaced in the next few years.

With the help of County Legislator Ilan Schoenberger and the staff of the County Executive's office, I have negotiated with the Town of Ramapo to receive ½ of the rent paid to the Town for the cell tower on Town of Ramapo parkland on Lime Kiln Road (informally known as the Mitch Miller property). If negotiations succeed, this should generate around \$40,000 in new revenue each year for the Village.

I would also like to thank State Senator David Carlucci's office for organizing a meeting between the Village and Senator Carlucci, Assemblyman Brabenec, and Assemblyman Zebrowski. At this meeting I was able to share the funding needs of the Village with all our State representatives who will hopefully find funds for the Village in the State budget.

An Explanation of the Village's Decision Concerning the Crown Castle Distributed Antenna System

On December 6th the Village Board passed a set of resolutions approving a Right-of-Way Use Agreement (RUA) with Crown Castle NG East LLC ("Crown"), that allows them to install a Distributed Antenna System ("DAS") on utility or streetlight poles at various locations in the Village to benefit Verizon Wireless. This article will explain the history of this application, the relevant Federal, State and Local Laws, and the reasoning behind the Village's approval.

In November 2015, Crown submitted an initial proposal to install a DAS on utility poles and streetlight poles in various locations in the Village, some of which were on State and County-owned roads. The Village had never received a request such as this one, and spent a few months in discussions and Technical Advisory Committee (TAC) meetings with Crown clarifying what they were requesting and what the Village's obligations were under Federal, New York State, and our own local laws.

Several actions were taken as the result of these early discussions including:

- Antennas on Route 306 and Grandview Avenue were excluded from the application to the Village, as the rights-of-way on those roads are owned by New York State and Rockland County respectively, and as such, were not subject to review by the Village.
- The Village confirmed that the small annual payment Crown was offering to the Village (around \$5,000) was in-line with industry standards.
- The Village obtained from Crown an additional \$2,500 fee

for the extensive work required to review this application.

- The Village had its Telecommunications Engineering Consultant, Ron Graiff, review the application and participate in the TAC meetings.
- The Village reached out to several sources for help in understanding the application including the New York Conference of Mayors, other New York State municipalities that had faced similar applications, and the New York State Department of Public Service Department which had classified Crown as being a public utility.
- The Village confirmed that this application was covered by Federal Telecommunications Act of 1996 and that under New York State Law we could not treat Crown differently than any other utility that wanted to utilize our rights-of-way.
- The Village reached out to Federal and State politicians who represent our Village including US Congresswoman Nita Lowey, State Senator David Carlucci, and State Assemblymen Kenneth Zebrowski and Karl Brabenec. The Village expressed to these politicians our frustration with how Federal and State laws tied our hands on this application, but was unable to obtain and relief.
- The Village reached out to Orange & Rockland Utilities, which owns the poles, to determine that they had an agreement with Crown to allow them on their poles.

By June 2016, the Village was satisfied that it was required by law to deal with this application, and arranged to hold a public hearing, despite the fact that such a meeting was not an obligation under Village Law. At that time the neighbors who were near the proposed antennas were notified by mail. The resulting public interest exceeded the capacity of Village Hall, and the public hearing was rescheduled to July at the Crowne Plaza Hotel in Suffern. At the urging of residents, all Village residents were notified by mail of the meeting.

At the July 26th public hearing many Village residents spoke against this application, and asked many questions that were directed both at the Village and its Engineering Consultant, and Crown. It



Typical Antenna Installation

Crown Castle

was also suggested at that meeting that the Village hire an attorney with expertise in dealing with such applications and look to update our local law concerning such applications.

Several actions were taken as a result of this public hearing:

- The Village interviewed three attorneys with the proper expertise, and chose Keith Ainsworth to advise the Village and negotiate with Crown.
- The Village passed a six-month moratorium on such applications. Currently an ad hoc committee is working on rewriting our law. This moratorium did not affect Crown's application, but might help the Village deal with any other applications we might receive during these six months.
- Crown submitted answers to all the questions from the public and from the Village's Telecommunications Engineering Consultant.

Mr. Ainsworth met with the Mayor and Village Attorney, and began negotiating with Crown on points where the Village had some leverage. Most of our local control was preempted by the Federal and State laws previously referenced. For example, Federal Law precluded the Village from considering any health effects, requiring design changes to Crown's system, and preventing Crown from filling the gap in service they had documented on behalf of Verizon Wireless. Federal Law also put in place a 150 day "shot clock" that could force the Village to decide on this application in a short period of time. Mr. Ainsworth was successful in getting Crown to toll (pause) this clock several times in order to engage in negotiations. State Law had also

given Crown certain rights as a "utility" to utilize our rights-of-way.

As a result of our negotiations:

- Crown relocated three antennas, onto the macro site that is already on the roof of 7 Mark Drive.
- Crown offered more aesthetically pleasing replacements of two street light poles, on Marissa Drive and Plank Road, both of which were the only locations proposed where there were no existing above ground utility service.
- Crown relocated an antenna that was slated to be at the entrance of Willow Tree Park for aesthetic reasons.
- The RUA was changed to require better insurance from Crown, and ensure that if Crown would look to expand their system in the future, they would not be grandfathered in, but would be subject to the new law the Village hopes to pass at the end of the moratorium.

The Village held a continuation of the public hearing on November 15th to listen to any additional public comments on this application and the results of the negotiations. This was followed by an Executive Session of the Village Board with Mr. Ainsworth on November 29th to allow the Board the opportunity to consult with its attorney in a privileged meeting.

On December 6th, the Board voted 4 to 1 in favor of this application. Overall, the Village Board felt that the Village had received the best deal possible, and that denying this application and facing costly litigation that would likely be unsuccessful, was not the best interest of the Village.

For those interested, the minutes from both public hearings, a copy of the RUA and minutes of the meeting with the text of the resolution that was passed, will be available on the Village's website.

Meet Ramapo Police Chief, Brad Weidel

On Tuesday, January 17th the Village will be hosting a Question and Answer session for our residents with Ramapo Chief of Police, Brad Weidel. This is an opportunity for you to come and ask questions or voice your concerns over issues involving our local police department.

The Q&A session will take place at 6:30pm at Village Hall, 432 Route 306, prior to the 7:00pm Village Board Workshop Meeting.





432 Route 306
Wesley Hills, NY 10952

Phone: 845-354-0400

Fax: 845-354-4097

*Sign up for the
Village Email List*

*Send a request to
mayor@wesleyhills.org*

WWW.WESLEYHILLS.ORG

Library Pickup Box

Finkelstein Memorial Library has installed a brand new pick-up locker. The new locker is located just inside the outer door to our Community Room and will be accessible 24 hours a day.

Finkelstein cardholders can make a request to pick-up library materials from the locker. Books, movies, and other library materials may be requested by calling the library reference desk (845-352-5700 ext. 244) or the children's reference desk (ext. 237). Just let the library know what you'd like to borrow and they will let you know if it is available to be delivered to Wesley Hills and when it will be available for pickup.

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Who's New at Village Hall

This past Septemeber, the Village hired a new Code Enforcement Officer, Roy Dougherty, to replace the previous Officer who moved out of the area. Roy brings with him many years of experience in both Code Enforcement and Building Inspection in the Village of Airmont, and has hit the ground running already proving himself a fine addition to our Village staff.

The Village also welcomed Randi J. Marlin as the second alternate member of our Village Zoning Board of Appeals after Felicia Hertzfeld resigned in July. Our thanks to Felicia for her many years of service to the Village.



Code Enforcement Officer
Roy Dougherty