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**Village of Wesley Hills  
Board of Trustees  
Board Meeting, Village Hall  
Tuesday, October 3, 2017**

**MEMBERS PRESENT:**

Marshall Katz, Mayor  
Ed McPherson, Deputy Mayor  
Howard Richman, Trustee  
Marion Ben-Jacob, Trustee  
Ruth Ivey, Trustee

**MEMBERS ABSENT:**

None

**OTHERS PRESENT:**

Ben Selig, Village Attorney  
Camille Guido-Downey, Village Clerk

Mayor Katz called the meeting to order at 7pm followed by the Pledge of Allegiance.

**Item #1**

**Resolution #91-17**

**Approval of Minutes of the Regular Meeting: September 5, 2017**

Marion Ben-Jacob made a motion to approve the minutes of September 5, 2017, seconded by Howard Richman. Upon vote, this motion carried unanimously.

**Item #2**

**Resolution #92-17**

**Public Hearing on Proposed local law amending Section 210-11 of the Code of the Village of Wesley Hills with regard to night parking in the Village of Wesley Hills.**

Howard Richman made a motion to open the public hearing, seconded by Marion Ben-Jacob. Upon vote, this motion carried unanimously.

No one from the public wished to speak.

Howard Richman made a motion to close the public hearing, seconded by Marion Ben-Jacob. Upon vote, this motion carried unanimously.

Howard Richman made a motion to move the following resolution, seconded by Ruth Ivey:

**WHEREAS**, the Board of Trustees of the Village of Wesley Hills has held a Public Hearing on the proposed local law entitled, “A Local Law Amending Section 210-11 of the Code of the Village of Wesley Hills” in order to more clearly define the preclusion against overnight parking within the Village of Wesley Hills,

**NOW, THEREFORE, BE IT RESOLVED**, that the proposed local law entitled, “A Local Law Amending Section 210-11 of the Code of the Village of Wesley Hills” is hereby approved and enacted as Local Law No. 3 of 2017.

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Upon vote, this motion carried unanimously.

**Item #3**

**Resolution #93-17**

**Resolution authorizing the adoption of the “Village of Wesley Hills Paid Family Leave Program” and the inclusion of same in the Wesley Hills Employee Handbook**

Howard Richman made a motion to move the following resolution, seconded by Marion Ben-Jacob:

**RESOLVED**, that the Village of Wesley Hills hereby adopts the, “Village of Wesley Hills Paid Family Leave (PFL) Program” and the inclusion of same in the Wesley Hills Employee Handbook.

Discussion:

Mayor Katz stated that this program applies to only full time employees and it is effective January 1, 2018. The total cost for the disability plan and the paid family leave rider is approximately \$800 per year.

Clerk stated that the proposed write up for the plan that is in the packet is a draft and the final version will be reviewed by the Mayor and the Village Attorney for incorporation into the employee handbook.

Upon vote, this motion carried unanimously.

**Item #4**

**Resolution #94-17**

**Resolution approving the letter of credit and the reduction of same with respect to the “North Wesley Hills Estates Subdivision”.**

Ruth Ivey made a motion to move the following resolution, seconded by Marion Ben-Jacob:

**WHEREAS**, GA Ventures, LLC filed with the Village of Wesley Hills an irrevocable letter of credit with respect to the North Wesley Hills Estates LLC Subdivision, and

**WHEREAS**, the said irrevocable letter of credit by this resolution is accepted for filing with the Village of Wesley Hills, nunc pro tunc, and

**WHEREAS**, by resolution dated September 27, 2017, the Planning Board of the Village of Wesley Hills has recommended a reduction of the original bond in the amount of \$350,000.00 to the sum of \$85,000.00 by virtue of the fact that the Village Engineer has determined that the sum of \$85,000.00 is an appropriate amount to ensure the completion of the required remaining work with respect to the North Wesley Hills Estates LLC Subdivision,

**NOW, THEREFORE, BE IT RESOLVED**, that the original irrevocable letter of credit may be reduced to the sum of \$85,000.00.

Discussion:

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Mayor Katz stated that the Village has had some issues with the developer such as not restoring the easement area, constructing without all the proper approvals, and the document filing issues.

Upon vote, this motion passed (McPherson opposed).

**Item #5**

**Resolution #95-17**

**Resolution accepting for dedication from Ahavat Yisrael of Wesley Hills, Inc. of an 8.5 foot wide road widening strip along the north side of East Willow Tree Road.**

Ed McPherson made a motion to move the following resolution, seconded by Howard Richman:

**RESOLVED**, that the dedication deed from Ahavat Yisrael of Wesley Hills, Inc. to the Village of Wesley Hills dated May 18, 2017, with respect to an 8.5 foot wide road widening strip along the north side of East Willow Tree Road be and the same is hereby accepted for dedication and that the Mayor of the Village of Wesley Hills is hereby authorized to execute any and all documents necessary to provide for the filing of said dedication deed with the Rockland County Clerk's Office.

Upon vote, this motion carried unanimously.

**Item #6**

**Resolution #96-17**

**Resolution releasing the escrow fund for road opening purposes with respect to 34 Astor Place, Wesley Hills, New York.**

Howard Richman made a motion to move the following resolution, seconded by Ed McPherson:

**WHEREAS**, Binyin LLC heretofore deposited with the Village of Wesley Hills the sum of \$5,000.00 as and for an escrow fund to ensure pavement restoration with respect to 34 Astor Place, Wesley Hills, New York, has been completed to the satisfaction of the Village Engineer and by virtue of the Village Engineer's written approval with respect to same, dated August 18, 2017,

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Clerk is hereby directed to refund the aforementioned escrow fund in the sum of \$5,000.00 to 34 Astor Place Realty, LLC, forthwith.

Upon vote, this motion carried unanimously.

**Item #7**

**Resolution #97-17**

**Resolution approving abstracts of audited claims**

Ruth Ivey made a motion to move the following resolution, seconded by Howard Richman:

**RESOLVED**, that the general fund claims #14511 through #14547 in the aggregate amount of \$319,804.38 as set forth in Abstract #10/17 dated October 3, 2017, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote, this motion carried unanimously.

**Item #7**  
**Reports**

**Village Hall Cell Tower**

Mayor Katz stated that Crown Castle is interested in adding a co-locator onto the Village Hall cell tower. Crown has asked the Mayor to sign a letter of consent however the Mayor and the Village Attorney do not like the wording of the letter and stated that Crown needs to seek permission from the Planning Board. Ben Selig stated that he will speak with Crown.

**East Willow Tree Sidewalks**

Mayor Katz stated Hudson Hills is behind schedule for the construction of the sidewalks by approximately two weeks. The Village Engineers, HVEA have submitted an estimate to the Village for an extra \$40,000 for construction inspections as the project is delayed. The Village has forwarded that information to Hudson Hills as part of our contract under liquidated damages. Hudson Hills has responded to the Village and stated that they have received an extension of time from the NYSDOT to complete the work. Mayor Katz stated that Hudson Hills is not being truthful in that statement as the extension of time is for landscaping and punch list items and not the construction items. There is also the issue that Hudson Hills during the course of the contract did not properly organize the utility companies to do their required work. Mayor Katz stated that Ben Selig will respond to the letter from Hudson Hills.

**Willow Tree Road Sidewalks**

Mayor Katz stated that the Board held a public discussion with the neighbors in reference to the Village's grant application for sidewalks on Willow Tree Road. The residents that attended the meeting are not in favor of the proposed project and feel that the sidewalks are not needed on this roadway and there is not a large amount of pedestrians that walk there.

The Mayor received the names of two companies from the Village Engineer who perform pedestrian studies.

Ed McPherson stated that he disagrees with the residents that were present and stated that the Village has a responsibility to all the people in the Village to address the dangerous curve situation on Willow Tree. This roadway further connects residents to a Town Park, Village Park, shopping area, a church and shuls. Ed McPherson stated that it is the duty of the Village to promote the health, safety and welfare of the Village.

Board Members discussed the possibility of only installing a sidewalk on the curve area with Village funding.

Marion Ben-Jacob stated that she did not agree with that smaller project and feels that it would be a sidewalk to nowhere and still place pedestrians in danger.

Mayor Katz added that when he contacted the County Executive about sidewalks in the Village on County roads such as Lime Kiln and Grandview, he received the response that the Village can

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apply for CBDG funding. Mayor Katz stated that the Village does not qualify for this funding. Mayor Katz also stated that he has also received a proposal from Brooker Engineering for the survey work and SEQRA work for a total of \$28,000.00. Board Members stated that they would like to see what the numbers show on the pedestrian study and then determine if this work is needed.

### **Yeshiva Ohr Reuven**

Mayor Katz stated that the congregation is seeking the Village to amend its zoning to include adult student housing. The Mayor has received emails from some of the Board Members in reference to this request and will forward the list of questions to the congregation's attorney.

### **Village Clerk's Report**

Village Clerk stated that the Village has collected 99% of its taxes and there is just under \$20,000 that is outstanding. The Village received 14 complaints this month. Clerk stated that all the invitations were mailed and emailed out for the Frankl celebration and the plaque will be ready next week for pick up. Does the Village want the local news organizations to be notified? Board Members agreed to have the news organizations notified of the event. Village Clerk stated that Roy Dougherty has retired and she has conducted one interview for his replacement and looking forward to others next week. The Village is holding its annual training sessions on October 20<sup>th</sup> at 10am and the Village Board is welcome to attend.

At 8pm Howard Richman made a motion to adjourn, seconded by Ruth Ivey. Upon vote, this motion carried unanimously.

Respectfully Submitted,

Camille Guido-Downey