

**Village of Wesley Hills  
Board of Trustees  
Board Meeting, Village Hall  
Tuesday, November 6, 2018**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Ruth Ivey, Trustee

**OTHERS PRESENT:**

Ben Selig, Village Attorney  
Camille Guido-Downey, Village Clerk  
Donalee Berard, Treasurer

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

**Item #1**

**Resolution #99-18**

**Approval of Minutes of the Regular Meeting: October 9, 2018**

Marion Ben-Jacob made a motion to approve the minutes of October 6, 2018, seconded by Howard Richman. Upon vote, this motion carried (Ben-Jacob Abstained).

**Item #2**

**Resolution #100-18**

**Confirmation of Settlement of Loeffler case against the Village of Wesley Hills**

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

**WHEREAS**, the Village's insurance company has negotiated a settlement in reference to the case of Loeffler against the Village of Wesley Hills for the sum of \$80,000.00, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is authorized to sign any and all settlement documents that may be required in order to confirm said settlement.

Upon vote, this motion carried unanimously.

**Item #3**

**Resolution #101-18**

**Resolution certifying account of unpaid taxes**

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

**WHEREAS**, the Village Treasurer has returned the 2018 Village of Wesley Hills Assessment Roll & Warrant and has delivered to this Board an account of the unpaid taxes which sets forth the sum of \$19,541.66, exclusive of interest as the total amount of taxes unpaid,

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(\$20,909.56, inclusive of interest), and

**WHEREAS**, this Board has compared the account of unpaid taxes with the original Assessment Roll, and

**NOW, THEREFORE, BE IT RESOLVED**, that this Board hereby finds and certifies that the account of unpaid taxes is correct and that the total amount of taxes unpaid \$19, 541.66, exclusive of interest as the total amount of taxes unpaid, (\$20,909.56, inclusive of interest).

Upon vote, this motion carried unanimously.

**Item #4** **Resolution #102-18**  
**Resolution reducing the amount of the letter of credit of North Wesley Hills Estates, LLC, to the sum of \$20,000.00**

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

**WHEREAS**, North Wesley Hills Estates has requested a reduction in the amount of its letter of credit with respect to the premises located at Tax Lot 41.08, Block 1, Lots 47 & 48, and

**WHEREAS**, the Village Engineer of the Village of Wesley Hills has confirmed that a reduction is proper and indicated, and

**NOW, THEREFORE, BE IT RESOLVED**, that North Wesley Hills Estates be and the same is hereby authorized to reduce the amount of its letter of credit with respect to the aforementioned premises from \$85,000.00 to the sum of \$20,000.00.

Upon vote, this motion carried unanimously.

**Item #5** **Resolution #103-18**  
**Resolution refunding to 15 Tammy Road, LLC, the \$5,000.00 escrow deposit heretofore made to the Village of Wesley Hills with respect to the sewer hookup at 15 Tammy Road.**

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

**WHEREAS**, 15 Tammy Road, LLC, heretofore posted an escrow fund with the Village of Wesley Hills in the amount of \$5,000.00 for a road opening permit with respect to premises located at 15 Tammy Road in the Village of Wesley Hills, and

**WHEREAS**, the Town of Ramapo preformed an inspection by the Town of Ramapo Department of Public Works on July 13, 2018, which confirmed the completed hookup of the subject premises, and

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**NOW, BE IT RESOLVED**, that the Village of Wesley Hills hereby authorizes a refund of the said deposit in the sum of \$5,000.00 to 15 Tammy Road, LLC, and

**IT IS FURTHER ORDERED**, that the Village Clerk of the Village of Wesley Hills forthwith refund the aforesaid escrow deposit in the sum of \$5,000.00 to 15 Tammy Road, LLC

Upon vote, this motion carried unanimously.

**Item #6** **Resolution #104-18**  
**Resolution approving and accepting the East Willow Tree Road Sidewalk Improvements Supplemental Agreement No. 2**

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

**WHEREAS**, the State of New York Department of Transportation has submitted a proposed agreement with the Village of Wesley Hills entitled, East Willow Tree Sidewalk Improvements Village of Wesley Hills, Rockland County Supplemental Agreement #2", a copy of which is made a part of the Minutes of this Board, and

**WHEREAS**, the Village of Wesley Hills agrees and accepts the terms of said agreement, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Wesley Hills agrees to accept and adopt the terms of the aforementioned Supplemental Agreement No. 2 and the Mayor is authorized to execute same on behalf of the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

**Item #7** **Resolution #105-18**  
**Resolution authorizing release of the \$2,500.00 escrow fund to Wesley Hills Estates with respect to 7 Soundview Drive.**

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

**WHEREAS**, by Resolution No. 95-8, the Village Board of the Village of Wesley Hills on October 9, 2018, agreed to release the original escrow posted by Wesley Estates, LLC on August 21, 2018, to the extent of \$29,500.00 in order that the said escrow fund be reduced to the net amount of \$2,500.00, and

**WHEREAS**, the Village Engineer of the Village of Wesley Hills, by letter dated October 11, 2018, indicated that all of the conditions in the original escrow agreement have been addressed and completed satisfactory, and

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Wesley Hills authorizes

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the release of the balance of the escrow fund herein in the sum of \$2,500.00, to the said Wesley Estates, LLC, and

**IT IS FURTHER ORDERED**, that the Village Clerk shall forthwith remit the balance of the escrow fund herein in the sum of \$2,500.00, less the sum of \$250.00 to be retained by the Village of Wesley Hills as and for an administrative fee, to the said Wesley Estates, LLC, forthwith.

Upon vote, this motion carried unanimously.

**Item #8** **Resolution #106-18**  
**Resolution recommending to the New York State Department of Transportation for traffic mitigation on Route 306 in the form of the installation of a double yellow line on Route 306 between Grandview Avenue and Willow Tree Road.**

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

**WHEREAS**, the Village of Wesley Hills has determined that it is appropriate to request of the New York State Department of Transportation the recommendation for traffic mitigation on Route 306 in the form of installation of a double yellow line on Route 306 between Grandview Avenue and Willow Tree Road, and

**NOW, IT IS THEREFORE HEREBY RESOLVED**, that the Village of Wesley Hills formally requests of the New York State Department of Transportation to follow its recommendation for traffic mitigation on Route 306 in the form of a double yellow line on Route 306 between Grandview Avenue and Willow Tree Road.

Upon vote, this motion carried unanimously.

**Item #9** **Resolution #107-18**  
**Resolution authorizing the execution of an intermunicipal agreement with the Rockland County Solid Waste Management for solid waste collection, transportation and disposal services for the Village of Wesley Hills**

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

**WHEREAS**, the Rockland County Solid Waste Management Authority (the "Authority") is a public benefit corporation, duly organized and existing under the Rockland County Solid Waste Management Authority Act, (the "Act") as set forth under Title 13-M of the Public Authority Law of the State of New York, and,

**WHEREAS**, the Village of Wesley Hills (hereinafter "the Village") is requesting that the Authority enter into a contract with the Village to take responsibility for residential Garbage,

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Bulky Items, Bulky Scrap Metals, Brush, Leaves, Grass Clippings and Recyclable Materials (“Solid Waste”) collection, transportation and disposal services in the Village, and,

**WHEREAS**, pursuant to its powers granted under the Act, the Authority has the power to perform such services and to levy a fee for such services against the real property owners of the Village, and,

**WHEREAS**, in order to determine the costs to the Authority for performing such services, the Authority will procure such services through a request for proposals process, and

**WHEREAS**, prior to assuming such services for the Village, the Authority and the Village must execute an Intermunicipal Agreement for Solid Waste Collection, Transportation and Disposal Services between the Authority and the Village to enable the Authority to perform such services on behalf of the Village, now therefore it is hereby

**RESOLVED**, that the Mayor or his designee is hereby authorized to execute an Intermunicipal Agreement with the Authority for the Collection, Transportation and Disposal of Solid Waste, and be it further

**RESOLVED**, that the Village Board hereby authorizes the Mayor or his designee to execute such other documents and perform such other actions as may be necessary to carry out the intent of this resolution.

Upon vote, this motion carried unanimously.

**Item #10**  
**Resolution approving abstracts of audited claims**

**Resolution #108-18**

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

**RESOLVED**, that the general fund claims #15671 through #15834 in the aggregate amount of \$184,715.69 as set forth in Abstract #11/18 dated November 6, 2018, 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 #10B**  
**Resolution approving abstracts of audited claims**

**Resolution #109-18**

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

**RESOLVED**, that the transfers in the aggregate amount of \$195,263.50 as set forth in Abstract #11/18 dated November 6, 2018, 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.

### **Treasurer's Reports**

Donalee Berard presented to the Board the monthly financial reports and stated that she is available for any questions. Ms. Berard noted that the Village is earning 2.1% with NY Class which equals to approximately \$3,000.00 a month in interest.

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

The paving in Dutch Village is now completed as there was a small portion of Holland and Beth that was not finished previously. The well at Village Hall was tested as per the state requirement and all the results were negative for any contaminants. Paperwork for the \$75,000 grant from Zebrowski's office has been completed. Paperwork for the Cornell/NYSDEC stormwater grant in the amount of \$7,200 has also been completed. The Village Hall parking lot sealing did not occur due to the weather and was pushed to next Spring. Fire panel at Village Hall was replaced with like due to false alarms. Cost for the replacement panel was \$580.00. We are moving slowly in closing out the sidewalk project; however we are hopeful that it will be closed out very soon. Check village calendar on website for days the Village Hall is closed in November and the leaf bag pick up days have been set for November/December.

### **Mayor's Report**

#### Rockland County Conference of Mayor's Meeting

Mayor Katz stated that he attended the RC Conference of Mayor's meeting last week and volunteered to draft a resolution for the Village to use asking the County to consider implementing a county-wide ban on plastic bags. Further the resolution requests the County to do a study on what types of plastic bags, what retail establishments, what incentives for retail stores, what penalties, and length of grace period for the law if established.

#### Measles Outbreak

A resident has requested signage at the Village Park in reference to the measles outbreak. Village Clerk is following up with Health Department and Town of Ramapo Parks in reference to how they are handling the situation.

#### Corner of Lime Kiln & Wilder Road

Mayor Katz noted that there was a serious two car accident over the weekend at the corner of Lime Kiln & Wilder Road. Mayor Katz stated that the County has previously stated that any traffic mitigation method used at that intersection will require the Village to have a traffic study done. After discussions with the Board, the Mayor will follow up with the County with a letter in reference to a 4-way stop sign, traffic light or any other traffic mitigation method and report back to the Village.

#### November Workshop Meeting

November 20, 2018

#### Planning Board

Mayor Katz stated that Marilyn Blocker is resigning from the Planning Board for personal

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reasons and the Mayor has provided two candidates for the Chairman to interview. If any Board Members have any suggestions, please forward to the Mayor.

Howard Richman made a motion to adjourn, seconded by Ed McPherson. Upon vote, this motion carried unanimously.

Respectfully Submitted  
Camille Guido-Downey