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**Village of Wesley Hills
Board of Trustees
Board Meeting, Village Hall
Tuesday, September 3, 2019**

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

OTHERS PRESENT:

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

Mayor Katz called the meeting to order at 6 pm followed by the Pledge of Allegiance.

Item #1

Resolution #94-19

Approval of Minutes of Regular Meeting: August 6, 2019

Howard Richman made a motion to approve the Minutes of August 6, 2019, seconded by Marion Ben-Jacob. Upon vote, this motion carried (McPherson abstained).

Item #2

Resolution #95-19

Scheduling of Public Hearing on proposed Local Law amending the Code of the Village of Wesley Hills in relation to the requirement that all Licenses issues pursuant to Section 147.2 shall expire thirty (30) consecutive days after the first day the licenses are in effect.

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

WHEREAS, the Board of Trustees of the Village of Wesley Hills deems it to be in the interest of the Village of Wesley Hills to consider the enactment of a Local Law requiring that all peddling and soliciting licenses issued pursuant to §147-2 shall expire thirty (30) consecutive days after the first day the license is in effect; and

WHEREAS, the Village Attorney at the request of the Board has prepared such a Local Law entitled, “A Local Law Amending the Code of the Village of Wesley Hills to Provide for a Requirement that a Peddling and Soliciting License Shall Expire Thirty (30) Consecutive Days After the First Day the License is in Effect”, a copy of which proposed Local Law has been made a part of the Minutes of this Board,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of the Municipal Home Rule Law, a public hearing on the adoption of such proposed Local Law

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entitled, "A Local Law Amending the Code of the Village of Wesley Hills to Provide for a Requirement that a Peddling and Soliciting License Shall Expire Thirty (30) Consecutive Days After the First Day the License is in Effect" be held before the Board of Trustees of the Village of Wesley Hills on the 2nd day of October, 2019 at 7:00 pm 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; and

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

Upon vote, this motion carried unanimously.

Item #3

Resolution #96-19

Resolution partially refunding the escrow deposit of the St. James Marthoma Church with reference to the premises known as 526 Route 306, Suffern, New York

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

WHEREAS, on March 2, 2015, St. James Marthoma Church made an escrow deposit with the Village of Wesley Hills in connection with the premises located at 526 Route 306 in the amount of \$9,500.00, and

WHEREAS, by letter dated February 12, 2019 the Village Engineer of the Village of Wesley Hills has indicated that the work associated with said premises has been sufficiently completed with the exception of the submission of an as built survey;

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk is authorized and directed to refund the aforementioned escrow deposit of \$9,500.00 less the sum of \$1,500.00 for a net refund in the amount of \$8,000.00 to St. James Marthoma Church, forthwith and it is further;

RESOLVED, that at the time of the refund of said escrow deposit the Village of Wesley Hills is authorized to retain the sum of \$100.00 as an administration fee and less the sum of \$472.00 fees owed to the Village.

Discussion:

Mayor Katz confirmed that this applicant also owes the Village professional fees and that amount should be deducted from the \$8,000.00.

Upon vote, this motion carried unanimously.

Item #4

Resolution authorizing the maintenance of four "No Commercial Vehicles" signs along Willow Tree Road in the Village of Wesley Hills.

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Howard Richman made a motion to table this item till after the public hearing, seconded by Ruth Ivey.

Upon vote, this motion carried unanimously.

Item #5

Resolution #97-19

Scheduling a Public Hearing on proposed Local Law prohibiting Commercial Vehicles on Willow Tree Road between Route 306 and Grandview Avenue and on East Willow Tree Road Between McNamara Road and Route 306

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

WHEREAS, the Board of Trustees of the Village of Wesley Hills deems it to be in the interest of the Village of Wesley Hills to consider the enactment of a Local Law banning commercial vehicles on Willow Tree Road between Route 306 and Grandview Avenue and on East Willow Tree Road between McNamara Road and Route 306 except for local deliveries; and

WHEREAS, the Village Attorney at the request of the Board has prepared such a Local Law entitled, “**A Local Law Amending the Code of the Village of Wesley Hills Prohibiting Commercial Vehicles on Willow Tree Road between Route 306 and Grandview Avenue and on East Willow Tree Road Between McNamara Road and Route 306** except for local deliveries”, a copy of which proposed Local Law has been made a part of the Minutes of this Board,

NOW, THEREFORE, BE IT 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 Amending the Code of the Village of Wesley Hills Prohibiting Commercial Vehicles on Willow Tree Road between Route 306 and Grandview Avenue and on East Willow Tree Road Between McNamara Road and Route 306** except for local deliveries” be held before the Board of Trustees of the Village of Wesley Hills on the 2nd day of October, 2019 at 7:00 pm 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; and

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

Discussion:

Mayor Katz stated that there are 4 no commercial vehicle signs located on Willow Tree Road (2 at the roundabout by Forshay Road and Wilder Road, 1 at Route 304 and 1 at Grandview) and the Ramapo Police Department have told us they will not enforce the commercial vehicle ban as there is nothing in the Village Code in reference to the restriction. Mayor Katz stated that they need to place this restriction in the code for enforcement and he has suggested that East Willow Tree Road be added to the restriction. Willow Tree Road and East Willow Tree Road are the only major roadways within the Village that are under the Village’s control. Board Members

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agreed and stated that East Willow Tree Road is narrow, and the commercial vehicle restriction makes sense.

Upon vote, this motion carried unanimously.

Item #6

Resolution #98-19

Resolution refunding escrow deposit of Ben Avram, LLC

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

WHEREAS, pursuant to the Resolution of the Planning Board of the Village of Wesley Hills Resolution #18-34, Ben Avram, LLC posted an escrow fund with the Village of Wesley Hills in the amount of \$7,000.00, and

WHEREAS, Ben Avram, LLC entered into an escrow agreement with the Village of Wesley Hills setting forth the terms pursuant to which said funds in the amount of \$7,000.00 was deposited with the Village; and

WHEREAS, by email dated August 26, 2019, the Village Engineer of the Village of Wesley Hills has confirmed that all work to be done pursuant to the aforementioned Planning Board Resolution #18-34 and the aforementioned Escrow Agreement has been completed to the satisfaction of the Planning Board and the Village Engineer and recommended the release of the aforementioned escrow fund in the sum of \$7,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Village Clerk of the Village of Wesley Hills be and the same is hereby directed to forthwith pay to said Ben Avram, LLC the aforementioned escrow fund in the sum of \$7,000.00 less the sum of \$250.00 to be retained by the Village of Wesley Hills for an administrative fee and less the sum of \$1,015.00 for fees owed to the Village for a net refund in the amount of \$5,735.00 to Ben Avram, LLC, forthwith.

Upon vote, this motion carried unanimously.

Item #7

Resolution #99-19

Resolution approving abstracts of audited claims

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

RESOLVED, that the general fund claims #16725 through #16765 in the aggregate amount of \$104,576.13 as set forth in Abstract #9/19 dated September 3, 2019, 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 #7A

Resolution #100-19

Resolution approving transfer of funds

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

RESOLVED, that the transfers in the aggregate amount of \$150,000.00 as set forth in Abstract #9/19 dated September 3, 2019, 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.

Mayor's Report

September Meetings:

September 17th-

Workshop Meeting 6 PM

October Meetings:

Wednesday, October 2nd -

Regular Meeting 7PM

Wednesday, October 23rd -

Workshop Meeting 7PM

Code Enforcement Officer

Mayor Katz stated that the new Code Enforcement Officer for parking enforcement at the shopping center will have the following hours:

Thursday, 12-8

Friday, 11-6

Sunday, 11-3

His hours will be adjusted to accommodate his attendance at Justice Court when needed and the operating hours of Wesley Kosher which closes earlier on Fridays during the Fall and Winter.

Sidewalk Plowing Service

Mayor Katz stated that the Village has expended the funds with the Town of Ramapo for sidewalk plowing services and has drafted a request for proposal for sidewalk plowing services. Village Clerk will seek proposals from private contractors for a comparison. Board Members suggested a minor change to the request for proposals.

Executive Session

Howard Richman made a motion to enter executive session to discuss possible litigation, seconded by Ruth Ivey. Upon vote, this motion carried unanimously.

Howard Richman made a motion to exit executive session, seconded by Marion Ben-Jacob. Upon vote, this motion carried unanimously.

No action was taken during executive session.

Fire Inspector's Request

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Mayor Katz stated that the Fire Inspector has requested an iPad to assist with his work. Board Members are in favor of this purchase and the Mayor will seek the best possible price for the product.

Treasurer's Report

Donalee Berard stated that the monthly report is minimal as we are in the third month of the new budget. Ms. Berard stated that the annual State AUD report has been submitted and posted on the Village website.

Howard Richman made a motion to adjourn, seconded by Marion Ben-Jacob. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Camille Guido-Downey