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**Village of Wesley Hills  
Board of Trustees  
Board Meeting, Village Hall  
Tuesday, January 7, 2020**

**MEMBERS PRESENT:**

Marshall Katz, Mayor  
Ed McPherson, Deputy Mayor  
Howard Richman, Trustee  
Ruth Ivey, Trustee

**MEMBERS ABSENT:**

Marion Ben-Jacob, 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 #01-20**

**Approval of Minutes of Regular Meeting-December 3, 2019**

Howard Richman made a motion to approve the Minutes of December 3, 2019, seconded by Ruth Ivey. Upon vote, this motion carried unanimously.

**Item #2**

**Resolution #02-20**

**Approval of Minutes of Regular Meeting-December 17, 2019**

Howard Richman made a motion to approve the Minutes of December 17, 2019, seconded by Ruth Ivey. Upon vote, this motion carried (Ivey abstained).

**Item #14B**

**Treasurer's Report**

Donalee Berard presented the monthly reports to the Board Members and stated that the Village is on target for the year. Ms. Berard stated that she will investigate refunds for non-profits for the garbage service. Ms. Berard stated that she has started the budget process and will work with the Mayor to present a draft next month.

**Item #3**

**Resolution #03-20**

**Resolution concerning the changing of the speed limit on Route 306 in the Village of Wesley Hills.**

Ed McPherson made a motion to approve the following resolution, seconded by Ruth Ivey:

**WHEREAS**, the Village of Wesley Hills has determined that it is appropriate to request of the New York State Department of Transportation a recommendation for reduction of the

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speed limit on Route 306 in the Village of Wesley Hills between Lime Kiln Road and New Pomona Road, and

**IT IS HEREBY RESOLVED**, that the Village of Wesley Hills requests of the New York State Department of Transportation the reduction of the posted speed limit on Route 306 in the Village of Wesley Hills between Lime Kiln Road and New Pomona Road from forty-five (45) miles per hour to thirty-five (35) miles per hour.

Upon vote, this motion carried unanimously.

**Item #4**

**Resolution #04-20**

**Resolution approving and adopting the Amended Fee Schedule for the Village of Wesley Hills.**

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

**WHEREAS**, the Village Attorney of the Village of Wesley Hills pursuant to the request of the Board of Trustees of the Village of Wesley Hills has drafted the amended the Village of Wesley Hills Fee Schedule.

**NOW, IT IS HEREBY RESOLVED**, that the Village of Wesley Hills formally adopts the revised Village of Wesley Hills Fee Schedule last revised on January 7, 2020, a copy of which is made a part of the Minutes of this Board.

Discussion:

Village Clerk presented the revised fee schedule that was created by the Building Inspector, Village Attorney, Mayor and herself.

Sam Levin, 5 Roble Road stated that it is his opinion that the cost of building has increased so much and to add the additional cost of increased building permit fees seems excessive.

Mayor Katz answered that the increase in the building department permit costs are bringing the fees in line with other municipalities along with covering the costs of the Building Inspector and Village Engineer.

Upon vote, this motion carried unanimously.

**Item #5**

**Resolution #05-20**

**Resolution approving the proposed Contract for treating the Village of Wesley Hills pond.**

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

**RESOLVED**, that the proposal for treating the pond located off Lime Kiln Road in the Village of Wesley Hills of Limnology Information and Freshwater Ecology Inc., dated December 19, 2019, a copy of which is made a part of the Minutes of this Board, is hereby accepted and approved and the Mayor's execution of same on behalf of the Village of Wesley

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Hills on December 20, 2019, be and the same is hereby approved, nunc pro tunc.

Upon vote, this motion carried unanimously.

**Item #6**

**Resolution #06-20**

**Resolution referring to the Planning Board and other agencies the proposed change to Section 230-42 (Expiration of Variance) of the Wesley Hills Code concerning the expiration of variances.**

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

**WHEREAS**, the Zoning Board of Appeals of the Village of Wesley Hills has recommended to the Board of Trustees that Section 230-42 of the Code of the Village of Wesley Hills be amended to provide for the expiration of variances from one (1) year to eighteen (18) months, and

**WHEREAS**, the Village Attorney at the request of this Board has prepared such a proposed Local Law entitled, "A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF WESLEY HILLS IN RELATION TO THE EXPIRATION OF A VARIANCE GRANTED BY THE ZONING BOARD OF APPEALS",

**NOW, THEREFORE, BE IT RESOLVED**, that it is determined that the enactment of the 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 said proposed Local Law would make the expiration of variances consistent with the expiration of site plans,

**BE IT FURTHER RESOLVED**, that in accordance with the provisions of Section 230-42 of the Wesley Hills Code, such proposed Local Law is hereby referred for review and report to the Planning Board, Zoning Board of Appeals, Village Attorney, Village Engineer, Building Inspector, Code Inspector for the Village of Wesley Hills and the County of Rockland Planning Department and all abutting municipalities, and

**BE IT FURTHER RESOLVED**, that the Village Clerk is hereby directed to forward a copy of such proposed Local Law to such Boards and Officials forthwith.

Upon vote, this motion carried unanimously.

**Item #7**

**Resolution #07-20**

**Resolution authorizing the Planning Board of the Village of Wesley Hills to utilize the average density procedure for the Subdivision entitled, "AMS Acquisitions Residential Subdivision".**

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

**WHEREAS**, by Resolution No. 19-46 the Planning Board of the Village of Wesley Hills has requested that this Board authorize the use of average density procedure for a maximum of 14

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lots with respect to the AMS Acquisitions Subdivision, a copy of which Resolution is made a part of the Minutes of this Board, and

**WHEREAS**, Village Law Section 7-738 and Section 12.3 of the Zoning Law of the Village of Wesley Hills empowered the Board of Trustees to authorize the Planning Board to modify the provisions of the zoning Local Law to permit an average density layout, and

**WHEREAS**, the Board of Trustees deems it to be in the interest of the Village of Wesley Hills to allow average density development in the aforementioned subdivision, taking into consideration the position recommendation of the Planning Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board of the Village of Wesley Hills is hereby authorized to utilize the average density procedure for the subdivision entitled, "AMS Acquisitions Residential Subdivision", for a maximum of 14 lots.

Discussion:

Ira Emanuel, Esq. was present on behalf of the Applicant and stated that his client has been working with the Mayor and the Planning Board Attorney to develop a plan that would be suitable to the Village. As part of those working sessions it was suggested by the Village to apply for an average density layout to preserve the wetlands and offer an area for preservation to the Village. Mr. Emanuel stated that the lot is approximately 29 acres and is located north of the public school and village park located on Lime Kiln Road. Mr. Emanuel stated that the Planning Board has referred this application to the Board of Trustees for consideration of an average density layout.

Zachary Chaplin, P.E. Applicant Engineer was present and stated that the property has topo challenges which consists of ranges that are 30 feet in some areas. Mr. Chaplin stated that the wetlands have been delineated and the average density layout preserves that area along with providing the requested walking paths and the connection to the Village Park.

Mayor Katz questioned why is there two-cul-de-sacs proposed as opposed to a through road between Rockwood and Jeremy?

Mr. Chaplin answered due to the topo, two cul-de-sacs are the only layout that could be engineered and the best option.

Ed McPherson questioned if the south east corner of the property will be utilized for drainage as it is the lowest point of the site?

Mr. Chaplin answered that they have not decided drainage yet and will work with the Village Engineer to develop an acceptable plan.

Ira Emanuel stated that there are 9 proposed lots larger than 50,000 square feet and 5 lots are proposed to be smaller.

Upon vote, this motion carried unanimously.

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**Item #8**

**Resolution #08-20**

**Resolution approving the Stormwater Control Facility Maintenance Agreement between Jay Newhouse and the Village of Wesley Hills for 34 Deerwood Road**

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

**RESOLVED**, that the Agreement dated November 11, 2019 between Jay Newhouse and the Village of Wesley Hills for stormwater control facility maintenance with respect to premises located at 34 Deerwood Road, a copy of which is made a part of the Minutes of this Board, is hereby approved and the Mayor is authorized to indicate the approval of such Agreement by signing said Agreement on behalf of the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

**Item #9**

**Resolution #09-20**

**Resolution approving the Sediment and Erosion Control Stormwater Maintenance Agreement between Congregation Ahavas Yitzchak and the Village of Wesley Hills for 73 Forshay Road.**

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

**RESOLVED**, that the Agreement for Sediment and Erosion Control and Stormwater Management between the Village of Wesley Hills and Congregation Ahavas Yitzchak, a copy of which is made a part of the Minutes of this Board, is hereby approved and accepted and the Mayor is authorized to indicate the approval and acceptance of such Agreement by signing said Agreement on behalf of the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

**Item #10**

**Resolution #10-20**

**Appointment of one member of the Zoning Board of Appeals for the balance of a five-year term ending April 2020.**

Mayor Katz appoints Mordechai Schwab to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a five-year term ending April 2020.

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

**RESOLVED**, that the Mayor's appointment of Mordechai Schwab to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a five-year term ending April 2020, is hereby approved.

Upon vote, this motion carried unanimously.

**Item #11**

**Resolution #11-20**

**Appointment of first alternate member of the Zoning Board of Appeals for the balance of a**

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**one-year term**

Mayor Katz appoints Randi Marlin as the first alternate member to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a one-year term ending April 2020.

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

**RESOLVED**, that the Mayor's appointment of Randi Marlin as the first alternate member to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a one-year term ending April 2020, is hereby approved.

Upon vote, this motion carried unanimously.

**Item #12**

**Resolution #12-20**

**Appointment of second alternate member of the Zoning Board of Appeals for the balance of a one-year term**

Mayor Katz appoints Stephanie Collantes-Bouvry as the second alternate member to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a one-year term ending April 2020.

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

**RESOLVED**, that the Mayor's appointment of Stephanie Collantes-Bouvry as the second alternate member to the Zoning Board of Appeals of the Village of Wesley Hills for the balance of a one-year term ending April 2020, is hereby approved.

Upon vote, this motion carried unanimously.

**Item #13A**

**Resolution #13-20**

**Resolution approving abstracts of audited claims**

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

**RESOLVED**, that the general fund claims #16998 through #17060 in the aggregate amount of \$285,813.66 as set forth in Abstract #1/20 dated January 7, 2020, 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 #13B**

**Resolution #-14-20**

**Resolution approving transfer of funds**

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

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**RESOLVED**, that the transfers in the aggregate amount of \$290,000.00 as set forth in Abstract #1/20 dated January 7, 2020, 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 #13.1**

#### **Resolution #15-20**

**Resolution approving the 2020 Agreement for Snow removal services, highway maintenance and storm drain maintenance between the Town of Ramapo and the Village of Wesley Hills.**

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

**RESOLVED**, that the proposed agreement between the Town of Ramapo and the Village of Wesley Hills for snow removal services, highway maintenance and storm drain maintenance for 2020, a copy of which is made a part of the Minutes of this Board, is hereby accepted and approved and the Mayor's execution of same on behalf of the Village of Wesley Hills is hereby authorized.

#### Discussion:

Mayor Katz stated that the Village has not received an increase in highway services for several years and he reached out to the Town Supervisor and the Superintendent of Highways who stated that the increase was placed upon all the municipalities to bring all the Village's into conformity.

Upon vote, this motion carried unanimously.

#### **Item #14**

#### **Mayor's Reports**

##### Grandview Ave & Route 306

Mayor Katz stated that he has received a request from a resident in reference to the intersection of Grandview Ave and Route 306. Resident stated when traveling east bound on Grandview, when schools let out you are stuck in traffic for a while. Resident suggested that the road be widened to include a turning lane, traffic light gets modified to include a delayed green and/or a traffic arrow. Board Members suggested that the Mayor email the NYSDOT to discuss suggestions and address the future traffic light changes when the shopping center is constructed.

##### RCSWMA

Mayor Katz stated that as per the staff it was an easy transition to solid waste. There were only a few residents that reached out via email in reference to the new garbage charge. Village Clerk stated that there were several residents that stopped into Village Hall. Mayor Katz stated that he provided the staff with a copy of an email that he provided to some residents that addresses the new charges on the County tax bill.

##### Shul Attack in Monsey

Mayor Katz stated that he has sent out an email in reference to the event and what safety measures Ramapo and the County are suggesting to area residents. Mayor Katz stated that officials are

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having another meeting next week with the County Executive and he will update residents via email. Mayor and Board Members discussed safety at Village Hall, and it was determined that at the current time the current conditions are acceptable at Village Hall and they will revisit this topic in the future should other Villages/Town offices make changes.

**Village Clerk**

33 complaints submitted to the Village for action. Village Clerk has started scanning payroll documents for preservation from 1982 to current. The Village Code for 2019 has been updated.

**Village Attorney**

Ben Selig stated that he had a meeting with Village Engineer and Village Contractor for the stream repair at 419 Route 306 today and pending release from the property owner, the work will start within the next three weeks.

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

Respectfully Submitted,  
Camille Guido-Downey