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**Village of Wesley Hills  
Board of Trustees  
Board Meeting, Online Zoom Meeting  
Tuesday, August 4, 2020**

**MEMBERS PRESENT:**

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

**MEMBERS ABSENT:**

Ed McPherson, Deputy Mayor

**OTHERS PRESENT:**

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

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

**Item #1**

**Resolution #75-20**

**Approval of Minutes of Regular Meeting: July 7, 2020**

Marion Ben-Jacob made a motion to approve the Minutes of July 7, 2020, seconded by Howard Richman. Upon vote, this motion carried unanimously.

**Item #2**

**Resolution #76-20**

**Resolution approving the Community Choice Aggregation Agreement between Great American Gas and Electric, LLC and the Village of Wesley Hills**

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

**RESOLVED**, that the proposed “Natural Gas Community Choice Aggregation Agreement” between Great American Gas and Electric, LLC and the Village of Wesley Hills, a copy of which is made apart of the Minutes of this Board, is hereby approved and the execution of the same by the Mayor of the Village of Wesley Hills on July, 30, 2020 is hereby approved, nunc prop tunc.

**Roll Call:**

Richman	Aye	Ivey	Aye
Ben-Jacob	Aye	Katz	Aye

Motion carried unanimously.

**Item #3**

**Resolution #77-20**

**Resolution authorizing the addition of two new provisions to the Village of Wesley Hills Employee Handbook**

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

**RESOLVED**, that the proposed addition of Section 401 and 402 of the Village of Wesley Hills Employee Handbook entitled Closures of Village Hall due to Weather, Pandemics or other Circumstances of the Village of Wesley Hills Employee Handbook, copies of which sections are made a part of the Minutes of this Board be and the same are hereby directed to be included in said Employee Handbook and the Village Clerk is hereby directed to update said Village of Wesley Hills Employee Handbook in order to include said sections numbered 401 and 402 respectfully, forthwith.

Upon vote, this motion carried unanimously.

**Item #4**

**Resolution #78-20**

**Resolution extending the expiration of Planning Board and Zoning Board of Appeals Approvals**

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

**WHEREAS**, this Board previously resolved that all outstanding/open Building Permits were extended as long as New York Pause Guidelines halted construction activities,

**NOW, THEREFORE BE IT RESOLVED** that the expiration of Planning Board and Zoning Board of Appeals approvals be and the same are hereby extended for the period of time construction was shut down by New York Pause Guidelines.

Upon vote, this motion carried unanimously.

**Item #5**

**Resolution #79-20**

**Resolution adopting the Retention and Disposition Schedule for New York State Local Government Records**

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

**RESOLVED**, by the Board of Trustees of the Village of Wesley Hills that Retention and Disposition Schedule for New York Local Government Records (LGS-1) issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

**FURTHER RESOLVED**, that in accordance with Article 57-A:

- (a) Only those records with be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein.
- (b) Only those records will be disposed of that do not sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Upon vote, this motion carried unanimously.

**Item #6**

**Resolution #80-20**

**Resolution scheduling a Public Hearing on the Proposed Local Law amending the Code of the Village of Wesley Hills to clarify the definition of "Person"**

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

**WHEREAS**, by Resolution #70-20 on July 7, 2020 this Board referred to the Planning Board and other agencies the Proposed Local Law entitled, "A Local Law Amending the Code of the Village of Wesley Hills to Clarify the Definition of Person" and

**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 Clarifying the Definition of "Persons" be held before the Board of Trustees of the Village of Wesley Hills on the 8<sup>th</sup> day of September, 2020 at 7:00 p.m. 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 #7**

**Resolution #81-20**

**Resolution requesting the installation of a Stop Sign on Rochelle Lane at East Willow Tree Road**

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

**RESOLVED**, that the Village of Wesley Hills requests the Town of Ramapo to install a stop sign on Rochelle Lane at East Willow Tree Road in accordance with the specifications for

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same as contained in the email from the Village Engineer of the Village of Wesley Hills dated July 28, 2020, a copy of which is made a part of the Minutes of this Board.

Discussion:

Mayor Katz stated when the Village was paving E Willow Tree Road and it was noticed that there is no stop sign at this location, there is a stop bar but no sign. Mayor Katz stated that this is the only intersection that is missing a sign. The Village or the Police Department are unsure when it went missing.

Upon vote, this motion carried unanimously.

#### **Item #8**

#### **Resolution referring to the Planning Board and other agencies the Proposed Local Law amending the Code of the Village of Wesley Hills in relation to height of fences**

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

**WHEREAS**, the Village Attorney at the request of this Board has prepared a Proposed Local Law entitled, “A Local Law Amending the Code of The Village of Wesley Hills in Relation to Height of Fences” to allow fences in a residential district to not exceed six feet with respect of a front yard and not to exceed eight feet with respect to side yards and rear yards where said fence is set back a distance at least 2/3 of dimension requirements of the applied front, rear, or side yard, a copy of which proposed local law is made a part of the Minutes of this Board,

**NOW THEREFORE BE IT RESOLVED**, that it is determined that 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 afford property owners in residential districts the ability to provide for greater privacy where a fence is set back at least 2/3 of the appetible minimum setback provision, and

**BE IT FURTHER RESOLVED**, that in accordance with the provisions of Section 230-176 of the Village of Wesley Hills, such 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 of the Village of Wesley Hills, 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 propose Local Law to such Board s and officials forthwith.

Upon vote, this motion carried unanimously.

#### **Item #9**

#### **Resolution #82-20**

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### **Resolution approving Justice Court Audit**

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

**RESOLVED**, that the Justice Court Audit of the Village Treasurer for 2019-2020 is hereby approved a copy of which is made apart of the Minutes of this Board.

Upon vote, this motion carried unanimously.

### **Item #10**

#### **Resolution approving the Agreement between Orange & Rockland Utilities and the Village of Wesley Hills in connection with the Wesley Chapel Road Culvert Replacement**

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

**RESOLVED**, that the proposed Agreement between Orange & Rockland Utilities and the Village of Wesley Hills for the replacement of the culvert on Wesley Chapel Road, a copy of which is made apart of the Minutes of this Board, is hereby approved and the execution to same by the Mayor of Wesley Hills on \_\_\_\_\_, \_\_\_\_, 2020 is hereby approved.

Upon vote, this motion carried unanimously.

### **Item #11**

#### **Resolution #83-20**

#### **Resolution approving a refund to Municipal Data Services for fee previously paid for an onsite violation search with respect to 3 Vanessa Drive**

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

**WHEREAS**, on or about July 24, 2020 Municipal Data Services requested a full violation search with respect to 3 Vanessa Drive, Wesley Hills, NY and

**WHEREAS**, on or about said date Municipal Data Services paid to the Village of Wesley Hills a fee in the amount of \$150.00 for said search, and

**WHEREAS**, said Municipal Data Services later requested only a records search, and

**NOW, THEREFORE BE IT RESOLVED** that the Village Clerk is directed to refund to Municipal Data Services the sum of \$100.00.

Upon vote, this motion carried unanimously.

### **Item #12**

#### **Resolution #84-20**

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

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

**RESOLVED**, that the general fund claims #17651 through #17712 in the aggregate amount of **\$67,095.99** as set forth in Abstract #8/20 dated August 4, 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 #12A**

**Resolution #83-20**

**Resolution approving transfer of funds**

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

**RESOLVED**, that the transfers in the aggregate amount of **\$250,310.50** as set forth in Abstract #8/20 dated August 4, 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**

**Mayor's Report**

Tent Application & Procedure

Mayor Katz stated the application and procedures have been reviewed by the Fire Inspector, Village Clerk and him.

Howard Richman stated that he would like the application to include the requirement for the submission of an underwriter's certificate.

Board Members agreed.

Mayor Katz stated that the Fire Inspector is concerned with the length of time for the tent permit which is being proposed at 30 days. He is suggesting 10 days.

Marion Ben-Jacob stated that there needs to be an exception for the shuls which are currently using tents for worshipping purposes due to COVID-19.

Board Members agreed and stated that they feel that the wording that they placed in the application/procedures that states that the time frame is subject to the discretion of the Village will cover the shuls and also place them on notice that we are coming to reinspect. Board Members are in favor of changing the time frame to 10 days.

Treasurer's Report

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Donalee Berard stated that there is little to report as we are only 2 months into the new budget. Ms. Berard presented to the Mayor and Board Members the monthly financial reports.

#### Village Clerk's Report

The Village Hall Generator was out of service and was recently repaired just in time for the current storm. The Village collected 94% of taxes and there are approximately \$65,000 outstanding. The Village received 31 complaints this month which were mostly garbage complaints.

#### **Item #15A New Business Approve Refund of Double Tax Payment**

#### **Resolution #84-20**

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

**WHEREAS**, the Village of Wesley Hills issued a 2020 Village Tax Bill No. 000239 with respect to real property designated on the Town of Ramapo Tax Map as Section 32.19 Block 2, Lot 20.4 with respect to premises known as 3 Hunters Run, Suffern, New York 10901, and

**WHEREAS**, on June 25, 2020, Imperial Abstract paid the said tax bill applicable to the aforementioned property in the amount of \$1,354.86, and

**WHEREAS**, on July 10, 2020, PHH Mortgage Services made a duplicate payment of the 2020 Village tax bill applicable to the aforementioned property in the amount of \$1,354.86, and

**WHEREAS**, as a consequence of the above, the Village taxes for the said premises are overpaid to the Village of Wesley Hills in the amount of \$1,354.86,

**NOW THEREFORE, BE IT RESOLVED**, that the said Homeowner is entitled to a refund for the overpayment of 2020 Village taxes, and

**BE IT FURTHER RESOLVED**, that the Village Treasurer is hereby directed to remit the sum of \$1,354.86 to Kenneth & Beth Rozenberg.

Upon vote, this motion carried unanimously.

#### **Item #15B New Business Approve Refund of Double Tax Payment**

#### **Resolution #85-20**

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

**WHEREAS**, the Village of Wesley Hills issued a 2020 Village Tax Bill No. 000341 with respect to real property designated on the Town of Ramapo Tax Map as Section 32.20 Block 1, Lot 61 with respect to premises known as 11 Hillside Terrace, Suffern, New York 10901, and

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**WHEREAS**, on July 7, 2020, Land Track Title paid the said tax bill applicable to the aforementioned property in the amount of \$375.19, and

**WHEREAS**, on July 9, 2020, Rushmore Loan Management made a duplicate payment of the 2020 Village tax bill applicable to the aforementioned property in the amount of \$375.19, and

**WHEREAS**, as a consequence of the above, the Village taxes for the said premises are overpaid to the Village of Wesley Hills in the amount of \$375.19,

**NOW THEREFORE, BE IT RESOLVED**, that the said Homeowner is entitled to a refund for the overpayment of 2020 Village taxes, and

**BE IT FURTHER RESOLVED**, that the Village Treasurer is hereby directed to remit the sum of \$375.19 to Alexandre Czertok.

Upon vote, this motion carried unanimously.

**Item #15C New Business**

**Resolution #86-20**

**Approve Refund of Double Tax Payment**

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

**WHEREAS**, the Village of Wesley Hills issued a 2020 Village Tax Bill No. 001408 with respect to real property designated on the Town of Ramapo Tax Map as Section 41.16 Block 1, Lot 40 with respect to premises known as 17 Tammy Road, Spring Valley, New York 10977, and

**WHEREAS**, on July 1, 2020, Meister Abstract paid the said tax bill applicable to the aforementioned property in the amount of \$489.09, and

**WHEREAS**, on July 10, 2020, PHH Mortgage Services made a duplicate payment of the 2020 Village tax bill applicable to the aforementioned property in the amount of \$489.09, and

**WHEREAS**, as a consequence of the above, the Village taxes for the said premises are overpaid to the Village of Wesley Hills in the amount of \$489.09,

**NOW THEREFORE, BE IT RESOLVED**, that the said Homeowner is entitled to a refund for the overpayment of 2020 Village taxes, and

**BE IT FURTHER RESOLVED**, that the Village Treasurer is hereby directed to remit the sum of \$489.09 to Rebecca & Shuart Fine.

Upon vote, this motion carried unanimously.



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**Item #15D New Business**  
**Approve Refund of Double Tax Payment**

**Resolution #87-20**

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

**WHEREAS**, the Village of Wesley Hills issued a 2020 Village Tax Bill No. 000970 with respect to real property designated on the Town of Ramapo Tax Map as Section 41.11 Block 1, Lot 71 with respect to premises known as 10 Glenbrook Road, Monsey, New York 10952, and

**WHEREAS**, on July 1, 2020, Capital Abstract paid the said tax bill applicable to the aforementioned property in the amount of \$393.80, and

**WHEREAS**, on July 10, 2020, JP Morgan Chase bank made a duplicate payment of the 2020 Village tax bill applicable to the aforementioned property in the amount of \$393.80, and

**WHEREAS**, as a consequence of the above, the Village taxes for the said premises are overpaid to the Village of Wesley Hills in the amount of \$393.80,

**NOW THEREFORE, BE IT RESOLVED**, that the said Homeowner is entitled to a refund for the overpayment of 2020 Village taxes, and

**BE IT FURTHER RESOLVED**, that the Village Treasurer is hereby directed to remit the sum of \$393.80 to Hillel & Brocha Minzer.

Upon vote, this motion carried unanimously.

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

Respectfully Submitted,  
Camille Guido-Downey