

**Village of Wesley Hills
Board of Trustees
Special Board Meeting, Online Zoom Meeting
Tuesday, September 22, 2020**

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 7 pm followed by the Pledge of Allegiance.

Mayor Katz congratulated the newly elected members.

Item #1

Resolution #94-20

Approval of Minutes of Regular Meeting: September 8, 2020

Ruth Ivey made a motion to approve the Minutes of September 8, 2020, seconded by Howard Richman. Upon vote, this motion carried unanimously.

Item #2

Appointment of Deputy Mayor- balance of a one-year term

Mayor Katz appoints Edward B. McPherson, Jr., as Deputy Mayor for balance of a one-year term.

Item #3

Resolution #95-20

Appointment of Village Treasurer- balance of a four-year term

Mayor appoints Donalee Berard to the Office of Village Treasurer for balance of a four-year term.

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

RESOLVED, that the Mayor's appointment of Donalee Berard to the office of Village Treasurer for balance of a four-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #4

Resolution #96-20

Appointment of Deputy Village Treasurer- balance of a one-year term

Mayor appoints Yael Ash to the Office of Deputy Treasurer for a balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Yael Ash to the office of Deputy Village Treasurer for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #5 **Resolution #97-20**
Appointment of Village Attorney- balance of a one-year term

Mayor appoints Benjamin E. Selig as Village Attorney for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Benjamin E. Selig to the office of Village Attorney for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #6 **Resolution #98-20**
Appointment of Deputy Village Attorney- balance of a one-year term.

Mayor appoints Frank I. Brown as Deputy Village Attorney for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Frank I. Brown to the office of Deputy Village Attorney for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #7 **Resolution #99-20**
Appointments to the office of Assistant Village Attorney, each for balance of a one-year term.

Mayor appoints Doris Ulman, Jeffrey James Fortunato, and Jan Ulman to the office of Assistant Village Attorney for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Doris Ulman, Jeffrey James Fortunato, and Jan Ulman, respectfully, to the office of Assistant Village Attorney for balance of a one-year terms is hereby approved.

Upon vote, this motion carried unanimously.

**Item #8
Appointment of Building Inspector- balance of a one-year term**

Resolution #100-20

Mayor appoints John Layne to the position of Building Inspector for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of John Layne to the position of Building Inspector for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

**Item #9
Appointment of two Code Inspectors- balance of a one-year term**

Resolution #101-20

Mayor appoints Bill Press and Ray Canario to the position of Code Inspector for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Bill Press and Ray Canario to the position of Code Inspector for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

**Item #10
Appointment of Acting Village Justice- balance of a one-year term**

Resolution #102-20

Mayor appoints Michael B. Silvermintz to the office of Acting Justice for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Michael B. Silvermintz to the office of Acting Justice for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #11

Resolution #103-20

Appointment of Planning Board Chairman

Mayor appoints Vera Brown as Chairwomen of the Planning Board for balance of a one-year term.

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

RESOLVED, pursuant to the provisions of Section 7-718 of the Village Law, that the Mayor's appointment of Vera Brown as Chairwomen of the Planning Board of the Village of Wesley Hills for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #12

Resolution #104-20

Appointment of Zoning Board of Appeals Chairman

Mayor appoints Richard Weinberger as Chairman of the Zoning Board of Appeals for balance of a one-year term.

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

RESOLVED, pursuant to the provisions of Section 7-718 of the Village Law, that the Mayor's appointment of Richard Weinberger as Chairman of the Zoning Board of Appeals of the Village of Wesley Hills for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #13

Resolution #105-20

Appointment of Village Clerk, Marriage Officer and Registrar of Vital Statistics- balance of a one-year term

Mayor appoints Camille Guido-Downey as Village Clerk, Marriage Officer and Registrar of Vital Statistics for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Camille Guido-Downey as Village Clerk, Marriage Officer and Registrar of Vital Statistics for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #14

Resolution #106-20

Appointment of Deputy Village Clerk- balance of a one-year term

Mayor appoints Sydney Aliseo as Deputy Village Clerk for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Sydney Aliseo to the office of Deputy Village Clerk for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #15
Appointment of Village Fire Inspector

Resolution #107-20

Mayor appoints Evan Humphrey to the office of Village Fire Inspector for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Evan Humphrey to the office of Village Fire Inspector for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #16
Appointment of one member to the Planning Board for the balance of a five-year term ending April 2025.

Resolution #108-20

Mayor appoints Israel Shenker to the Planning Board for balance of a five-year term.

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

RESOLVED, that the Mayor's appointment of Israel Shenker to the Planning Board of the Village of Wesley Hills for the balance of a five-year term ending April 2025, is hereby approved.

Upon vote, this motion carried unanimously.

Item #17
Appointment of first alternate member to the Planning Board- balance of a one-year term

Mayor Katz appoints Lon Lieberman as the first alternate member of the Planning Board of the Village of Wesley Hills for balance of a one-year term.

Item #18
Appointment of second alternate member of the Planning Board- balance of a one-year term

Mayor Katz appoints Albert Tew as the second alternate member of the Planning Board of the Village of Wesley Hills for balance of a one-year term.

Item #19 **Resolution #109-20**
Appointment of one member of the Zoning Board of Appeals for the balance of a five-year term ending April 2025.

Mayor appoints Jonathan Gewirtz to the Zoning Board of Appeals for balance of a five-year term.

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

RESOLVED, that the Mayor's appointment of Jonathan Gewirtz to the Zoning Board of Appeals of the Village of Wesley Hills for balance of a five-year term ending April 2025 is hereby approved.

Upon vote, this motion carried unanimously.

Item #19a **Resolution #110-20**
Appointment of one member of the Zoning Board of Appeals for the balance of a five-year term ending April 2025.

Mayor appoints Dennis Dale to the Zoning Board of Appeals for balance of a five-year term.

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

RESOLVED, that the Mayor's appointment of Dennis Dale to the Zoning Board of Appeals of the Village of Wesley Hills for a five-year term ending April 2025 is hereby approved.

Upon vote, this motion carried unanimously.

Item #19b **Resolution #111-20**
Appointment of one member of the Zoning Board of Appeals for the balance of a five-year term ending April 2025.

Mayor appoints Mordechai Schwab to the Zoning Board of Appeals for balance of a five-year term.

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 balance of a five-year term ending April 2025 is hereby approved.

Upon vote, this motion carried unanimously.

Item #20

Appointment of first alternate member to the Zoning Board of Appeals- balance of a one-year term

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

Item #21

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

Mayor appoints Stefanie Collantes as the second alternate member of the Zoning Board of Appeals of the Village of Wesley Hills for balance of a one-year term.

Item #22

Resolution #112-20

Appointment of Court Clerk- balance of a one-year term

Mayor appoints Jayne Homyak to the Office of Court Clerk for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Jayne Homyak to the Office of Court Clerk for balance of a one-year term is hereby approved.

Upon vote, this motion carried unanimously.

Item #23

Resolution #113-20

Appointment of Court Officers- each for a term of balance of a one year.

Mayor appoints Dennis Bazazian and Raymond Burns to the office of Court Officer for balance of a one-year term.

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

RESOLVED, that the Mayor's appointment of Dennis Bazazian and Raymond Burns to the office of Court Officer, each for balance of a one-year term, is hereby approved.

Upon vote, this motion carried unanimously.

Item #24

Resolution #114-20

Resolution designating official depositories for Village funds.

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

RESOLVED, that the following banks are hereby designed as official depositories for Village funds: Key Bank, N.A.; JPMorgan Chase Bank, N.A.; M&T Bank; MBIA; Sterling Bank; T.D. Bank Corp; and N.Y. Class.

Upon vote, this motion carried unanimously.

Item #25
Resolution designating official newspapers

Resolution #115-20

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

RESOLVED, that the Rockland County Times and Rockland Journal News, local newspapers, be designated as the official Village newspaper.

Upon vote, this motion carried unanimously.

Item #26
Resolution approving the adoption of a Policies & Procedures Manual for the Village of Wesley Hills

Resolution #116-20

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

RESOLVED, that the Village of Wesley Hills Policies and Procedures Manual as amended, effective September 22, 2020, a copy of which is made a part of the Minutes of this Board, be and the same is hereby accepted and approved.

Upon vote, this motion carried unanimously.

Item #27
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 Circular Driveways.

Resolution #117-20

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

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 Circular Driveways to assist the Planning Board/Village Engineer/Building Department in reviewing requests for the construction of circular driveways, a copy of which proposed Local Law is make a part of the minutes of this Board,

NOW, THEREFORE BE IT RESOLVED, that it was determined that the enactment of said 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 the said proposed Local Law would assist the Village of Wesley Hills in having clear regulations in reference to circular driveways in its land use regulations, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of Section 230-76 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, 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 #28

Resolution #118-20

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 Accessory Buildings.

Ruth Ivey made a motion to approve 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 Accessory Buildings with respect to accessory structures, a copy of which proposed Local Law is make a part of the minutes of this Board,

NOW, THEREFORE BE IT RESOLVED, that it was determined that the enactment of said 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 the said proposed Local Law would assist the Village of Wesley Hills in the management of its land use regulations, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of Section 230-76 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, 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 #29

Resolution #119-20

Resolution authorizing the filing of an application for a grant under the Justice Court Assistance Program, 2020, established by the State of New York

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

RESOLVED, that the Board of Trustees of the Village of Wesley Hills hereby authorizes the filing of an application for a grant under the 2020 Justice Court Assistance Program, established by the State of New York and the Mayor is authorized to indicate such authorization on such application on behalf of the Village of Wesley Hills Justice Court, a copy of said application is made a part of the Minutes of this Board, be and the same is hereby accepted and approved.

Discussion:

Village Clerk stated that the Court has decided to apply for a new AC unit in the Court Room as the existing one is over 25 years old and a new camera system which would allow the Court to add an additional 6 cameras.

Ed McPherson stated that the Village should inquiry if the new AC unit meets the new state requirements with the HEPA filters.

Upon vote, this motion carried unanimously.

Item #30-Mayor's Reports

Spook Rock Road No Fishing Request

Mayor Katz stated that the Village has received a response from the County Highway and the Town of Ramapo Police in reference to the homeowners' request for no fishing on the bridge. The County Highway and the Ramapo Police have no comment on the enforcement and reported that there is no history of there being an issue on this location. Board decided not to add the no fishing signage for several reasons:

- 1) It would require writing a new Village Law
- 2) The upcoming project to replace the dam and roadway will include a sidewalk and make this issue moot
- 3) Enforcement would be difficult

Spook Rock Road Dam Replacement

Mayor Katz stated that he attended a meeting with the Rockland County Drainage Agency and the Village Clerk to discuss the County's plan to replace the dam on Spook Rock Road. Spook Rock Road is a County Road which has low traffic, the lake behind the dam is owned by private property owners, and the NYSDEC has flagged this dam as needing replacement. Mayor Katz stated that the Rockland County Drainage Agency is requesting funding from the Village in the amount of \$800,000 (1/2 the project cost). The project consists of culvert replacement, raise roadway by 2 feet, and installation of new spillway. Mayor Katz stated that it is in the best interest of the Village to cooperate with the Drainage Agency with funding as the County will withhold our sales tax for funding for the replacement if we do not cooperate.

Mayor Katz suggested the following options:

1. Village can bond for the funds.

2. Breach the dam, dead end the road and let the lake drain. Might cost approximately \$300,000.00. The property owners would lose their lake and gain back dry land as the lake will become a stream.
3. Seek grant funds through Bridge NY or BRIC (FEMA) funding. Any grant funds would decrease the cost to the County and the Village. County has already prepared a lot of the supporting documents that would be required for a grant application.
4. Mayor Katz stated that he is not comfortable with allocating \$800,000 of taxpayer monies to the sole benefit 7-8 lots and 5-6 homes in the Village.
5. The possibility of creating a taxing overlay district for the lake property owners to cover the Village's cost for the repair.
6. Have the lake property owners donate their lake land to the Village along with a shoreline for the Village to create a park and tax all the taxpayers of the Village.

Mayor Katz stated that the County is willing to attend a Village Board meeting to further discuss this issue.

Ed McPherson stated that that bridge was closed for over a year a long time ago and it had no impact on the community. Mr. McPherson stated that there is also a retaining wall that needs to be replaced as part of the project. Mr. McPherson stated that all the taxpayers can cover the repair to the road and the Village should request a breakdown of each item such as road, spillway, dam, and retaining wall as it may end up costing less. Ed McPherson stated that the Village should schedule a meeting with the homeowners to introduce the project.

Mayor Katz informally polled the Board in reference to their interest for the Village to pay for the dam portion of the repair. All members are in favor of paying.

Howard Richman stated that the Village should first ask the County Drainage to attend our October meeting to discuss this with the Board.

Ruth Ivey asked if the Army Corp of Engineers should be involved with the project as it is a waterway.

Mayor Katz answered no.

Ed McPherson stated that if the span is 20' it is considered a bridge and the Town would be responsible. Mr. McPherson provided the Village with the history the dam.

Board Members requested the Mayor to touch base with Village Engineer in reference to the span.

Village Clerk's Report

Village Clerk stated that she would like to revisit the topic of the office hours at the request of one of the Board Members to reduce the office hours on Fridays year around from 9-4 to 9-12 or 9-1. Full time staff would reduce their lunch time from 1 hour to ½ hour. Board Members were generally in favor of the idea and suggested the Village Clerk to speak with the staff about having one late night per week instead of reducing the hour lunch.

Trustee's Report

Ruth Ivey stated that the O&R committee would like to work year around to address ongoing issues with O&R. Mayor Katz stated that he is in favor of the committee volunteering year around and address issues with O&R. Ms. Ivey stated that she will have a draft letter to the Mayor after this week's meeting.

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

Respectfully Submitted,

Camille Guido-Downey