

6/8/2021
BOT

**Village of Wesley Hills
Board of Trustees
Board Meeting, ZOOM
Tuesday, June 8, 2021**

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
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 #64-21

Approval of Minutes of Regular Meeting: May 4, 2021

Howard Richman made a motion to approve the minutes of May 4, 2021, seconded by Ruth Ivey. Upon vote, this motion carried unanimously.

Item #2

Resolution #65-21

Approval of Minutes of Regular Meeting: May 25, 2021

Howard Richman made a motion to approve the minutes of May 25, 2021, seconded by Ruth Ivey. Upon vote, this motion carried (Ben-Jacob Abstained).

Item #3

Resolution #66-21

Appointment of Court Clerk – Balance of a one-year term

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

Upon vote, this motion carried unanimously.

Item #3A

Resolution #67-21

Conservation Easement Waiver – 12 Marcus Drive

6/8/2021

BOT

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

WHEREAS, the Planning Board of the Village of Wesley Hills by Resolution #21-8 granted a Wetlands Permit to Shimon Rosenberg with respect to premises known as 12 Marcus Drive and designated on the Town of Ramapo Tax Map as Section 41.14, Block 1, Lot 40 and

WHEREAS, by letter dated June 1, 2021, the Village Engineer of the Village of Wesley Hills made a series of comments recommending details to be included with respect to said Wetlands Permit, a copy of which letter is made a part of the Minutes of this Board.

NOW THEREFORE BE IT RESOLVED that the Village Board of the Village of Wesley Hills endorses the provisions of the Village Engineer as set forth in the aforementioned letter of the Village Engineer dated June 1, 2021, subject to the following conditions:

1. That said Shimon Rosenberg pay the Wetlands Permit Application fee of \$550.00.
2. That said Shimon Rosenberg reimburse the Village of Wesley Hills all professional fees expensed by the Village of Wesley Hills in connection with remediation of all areas of the adjacent conservation easement of the Village of Wesley Hills.
3. The Village of Wesley Hills recommends that a Civil Penalty be paid to the Village in the amount of \$500.00.

Discussion:

Mayor Katz stated that the Village Board is responsible for issuing waivers for work in the conservation easement. The Applicant disturbed approximately 350 sf as per the Village Engineer letter dated June 1, 2021.

Howard Richman stated that he is recusing himself from this application as he was the complainant to the Village when the project started.

Ben Selig stated that he spoke to Frank Brown and as stated by the Mayor the Village Board is called upon to approve the restoration plan and the Applicant is still before the Justice Court for the violation and the Village Board should recommend a civil penalty for the Village Prosecutor to request from the Justice Court.

Ruth Ivey suggested that the civil penalty should be a formula as this will be the procedure moving forward.

Mayor Katz stated that it is hard to come up with a dollar amount.

Ed McPherson suggested that the Board use a formula based on square footage.

Marion Ben-Jacob suggested a civil penalty of \$500.00.

Mayor Katz agreed with the civil penalty of \$500.00.

6/8/2021

BOT

Ed McPherson agreed with the civil penalty of \$500.00.

Ruth Ivey agreed with the civil penalty of \$500.00 reluctantly.

Ed McPherson stated that the plantings should be guaranteed for 1 year to survive or be replaced.

Mr. Rosenberg stated that it was never his intention to disturb the wetlands or the conservation easement. Mr. Rosenberg apologized to Mr. Richman for his less than appropriate interaction with his contractors.

Upon vote, this motion carried unanimously.

Item #4

Resolution #68-21

Resolution approving and accepting the June 2021 Budget Amendment.

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

RESOLVED, that the Village of Wesley Hills June 2021 Budget Amendment as prepared by the Village Treasurer of the Village of Wesley Hills be and the same is hereby approved and accepted.

Discussion:

Donalee Berard stated that the following budget amendments are proposed:

Income

A1130 · UTILITIES GROSS RECEIPT TAX	129,260.82	140,000.00	-10,739.18	11800	
A1170 · FRANCHISE FEE - CABLE TV	60,294.60	65,000.00	-4,705.40	4800	
A1560 · SAFETY INSPECTION FEES	205,455.95	130,000.00	75,455.95	-41050	to bal
A2390 · joint activity-other govt (ms4)	0.00	2,000.00	-2,000.00	2000	not happen
A2391 · share of Joint activity-Suez	342,986.00	136,000.00	206,986.00	-81000	offset exp
A2401 · INTEREST & EARNINGS	1,530.18	20,000.00	-18,469.82	18500	rates down
A2610 · FINES & FORFEITED BAIL	30,200.00	40,000.00	-9,800.00	9800	courts closed
A2651 · SALE OF REFUSE FOR RECYCLING	14,149.80	16,000.00	-1,850.20	1850	covid
A3060 · RECORDS MANAGEMENT	0.00	36,000.00	-36,000.00	36000	offset exp
A3089 · State Aid - other	0.00	22,891.00	-22,891.00	22900	covid reduction
A3501 · State Aid-Cons Highway -CHIPS	46,635.04	58,316.00	-11,680.96	11700	covid reduction
A3502 · state aid-subn hwy impr-paveNY	10,644.91	13,311.00	-2,666.09	2700	covid reduction
Total Income	2,218,470.34	1,901,800.00	316,670.34	0	

Expense

41410 · CLERK	163,366.46	198,696.00	-35,329.54	-35000	offset grant
41440 · ENGINEER	40,786.15	30,000.00	10,786.15	11000	under budget
41450 · ELECTIONS	1,733.36			1800	
41620 · OPERATION OF BUILDING	29,975.18	22,500.00	7,475.18	7500	oil tank and ppe

6/8/2021

BOT

45110 · MAINTENANCE OF ROADS	1,006,375.56	925,750.00	80,625.56	81000	suez projects
47110 · PARKS & RECREATION	38,063.14	26,100.00	11,963.14	12000	pond repairs park
A6999 · Contingency Account	0.00	90,000.00	-90,000.00	-80615	equip
A9040.8 · WORKERS COMPENSATION	5,871.74	5,600.00	271.74	300	to balance
A9050.8 · UNEMPLOYMENT INSURANCE	3,014.28	1,000.00	2,014.28	2015	increased cost
Total Expense	1,875,706.65	1,976,800.00	-101,093.35	0	increased cost

Part 2- carryforward to 2021-2022

Road repair revenue from Suez for a portion of costs to carryforward to 2021-2022 as repairs will be done next year
180652

Ms. Berard also stated that the Village received revenue last year that needs to be moved into the current budget.

Upon vote, this motion carried unanimously.

Item #5 **Resolution #69-21**
Resolution accepting the Municipal Compliance Certification Form and the MS4 Annual Report Form prepared by the Village Engineer and the forwarding of same to the NYS DEC Central Office MS4 Permit Coordinator

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

RESOLVED, that the Village of Wesley Hills hereby accepts the Municipal Compliance Certificate Form and the MS4 Annual Report Form prepared by the Village Engineer, a copy of which is made a part of the Minutes of this Board, and it is

FURTHER RESOLVED, that the Village Clerk shall forthwith forward same to the New York State DEC Central Office/MS4 Permit Coordinator.

Upon vote, this motion carried unanimously.

Item #6 **Resolution #70-21**
Resolution approving the “2021 Stormwater Education Program Agreement with Cornell Cooperative Extension of Rockland”.

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

RESOLVED, that the 2021 Stormwater II Education Program Agreement between the Village of Wesley Hills and the Cornell Cooperative Extension of Rockland, a copy of which is made a part of the minutes of this Board, is hereby accepted, and the Mayor is authorized to indicate the approval and acceptance of such proposal by signing same on behalf of the Village of Wesley Hills.

6/8/2021

BOT

Upon vote, this motion carried unanimously.

Item #7

Resolution #71-21

Resolution approving services with PrimePay

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

RESOLVED, the Mayor and Treasurer have received a proposal from PrimePay for the development of plan documents and the maintenance thereof of a Section 125 Medical Plan in conformity with the IRS regulations and testing requirements, said plan as described and made a part of the Minutes of this Board be and is hereby approved nunc pro tunc and the Mayor is authorized to indicate the approval and acceptance of such proposal by signing same on behalf of the Village of Wesley Hills.

Upon vote, this motion carried unanimously.

Item #8

Resolution #72-21

Resolution approving a refund to Land Track Title for fee previously paid for an onsite violation search with respect to 2 Deerwood Road

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

WHEREAS, on or about March 25, 2021, Land Track Title requested a full violation search with respect to 2 Deerwood Road, Wesley Hills, NY and

WHEREAS, on or about said date Land Track Title paid to the Village of Wesley Hills a fee in the amount of \$150.00 for said search, and

WHEREAS, said Land Track Title later requested only a records search and paid separately for such service, and

NOW, THEREFORE BE IT RESOLVED that the Village Clerk is directed to refund to Land Track Title the sum of \$150.00.

Upon vote, this motion carried unanimously.

Item #9

Resolution #73-21

Resolution approving a refund to Land Track Title for fee previously paid for an onsite violation search with respect to 38 Skylark Drive

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

WHEREAS, on or about May 3, 2021, Land Track Title requested a full violation search with respect to 38 Skylark Drive, Wesley Hills, NY and

6/8/2021

BOT

WHEREAS, on or about said date Land Track Title paid to the Village of Wesley Hills a fee in the amount of \$150.00 for said search, and

WHEREAS, said Land Track Title later requested only a records search and paid separately for such service, and

NOW, THEREFORE BE IT RESOLVED that the Village Clerk is directed to refund the sum of \$150.00.

Upon vote, this motion carried unanimously.

Item #10

Resolution #74-21

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 #18491 through #18557 in the aggregate amount of \$133,841.63 as set forth in Abstract #6/21 dated June 8, 2021, 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 #10A

Resolution #75-21

Resolution approving transfer of funds

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

RESOLVED, that the transfers in the aggregate amount of \$100,000.00 as set forth in Abstract #6/21 dated June 8, 2021, 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 #11

Mayor's Report

Office Staff

Mayor Katz stated that the new Deputy Village Clerk stated on 6/1/2021 and training has begun. The Village has also hired temporary assistance for the Justice Court to handle parking tickets.

Phone System

The Village's phone system company is out of business. This company would re-program the phones if needed. We found a few companies and will be contacting the other villages to see who they use. Donalee Berard stated that she has someone and will contact them to contact us.

Wesley Chapel Culvert

6/8/2021

BOT

Mayor Katz stated that he and the Village Clerk had a meeting with NYSDOT. The State is requesting the Village to pay the overruns now in the amount of \$92,000.00 with any overpaid funds to be returned upon project completion. The State is also looking to unbundle the projects as they are having a hard time finding contractors to take on a lot of projects at once. Board Members were in favor of paying the State now. Mayor Katz noted that the funds will come from the reserves account when the request is made from the State.

Village Park

Mayor Katz stated that the Village Park pathway is being restored this week. Mayor Katz also stated that he has requested a proposal for the pathway at Arcadian/Sherri as that pathway is in need of restoration and in bad shape. Mayor Katz stated that he has also requested a proposal for yearly maintenance of the pathways.

Senator Elijah Reichlin-Melnick Grant

Mayor Katz stated that he received a grant opportunity from Senator Elijah Reichlin-Melnick and will apply for office renovations.

Rockland County Solid Waste Management Authority

Mayor Katz stated that the Village is participating in the “Feet on the Street” program. The Authority will be visiting our streets and advising residents of acceptable and unacceptable items.

Village Yard Sale

The Village will be having a community yard sale on 6/27/2021 from 8:30-5pm.

In-Person Meeting

Mayor Katz stated that he wants to start in-person meetings again. Board Members agreed. The first in person meeting will be July 6, 2021.

Upcoming Meetings

6/22/2021	Workshop Meeting	Zoom
7/6/2021	Regular Meeting	In-Person
7/20/2021	Workshop Meeting	In-Person

Sidewalk Request

Mayor Katz stated that he has received a request for the installation of sidewalks on Wilder Road. Mayor Katz stated that we will discuss this at the 6/22/2021 meeting.

Litter Patrol

Mayor Katz stated at the 6/22/2021 meeting he would like to discuss hiring a part time litter patrol person for a few hours a week.

Village Treasurer’s Report

Donalee Berard stated this is the first month of the new budget so little to report.

Village Clerk’s Report

The Village has received 58 complaints this month and collected 12% of taxes.

6/8/2021

BOT

Village Attorney's Report

Ben Selig stated that he is working with Frank Brown in reference to the Soundview Drive road dedication.

New Business

Howard Richman stated that he has noticed a few locations that have goats and farm animals and thinks that additional enforcement is needed. Howard Richman also noted that the restoration on Kentor/Earl has not happened yet. Ed McPherson questioned if the Village has received any additional information on the American Recovery Act funding. Mayor Katz answered no not yet and that he is monitoring information.

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

Respectfully Submitted,
Camille Guido-Downey