



BOARD OF TRUSTEES MEETING MINUTES

October 01, 2024, at 7:00 PM

432 Route 306, Wesley Hills, NY 10952

Phone: 845-354-0400 | Fax: 845-354-4097

MEMBERS PRESENT:

Marshall Katz, Mayor
Milton Schwartz, Deputy Mayor
Yisroel Cherns, Trustee
Joseph Mause, Trustee (late)
Tova Krull, Trustee

MEMBERS ABSENT:

None

OTHERS PRESENT:

Benjamin Selig, Village Attorney
Camille Guido - Downey, Village Clerk-Treasurer

Mayor Katz opened the meeting at 7 pm followed by the pledge of allegiance.

ITEM #1

RESOLUTION NO. 94-24

APPROVAL OF MINUTES

Trustee Cherns made a motion to approve the minutes of September 3, 2024, seconded by Trustee Krull. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #2

DISCUSSION: AMENDMENT TO VILLAGE CODE CHAPTER 210-VEHICLES & TRAFFIC

Mayor Katz stated that the proposed revised local law incorporates the discussed changes. Mayor Katz and the Board Members discussed increasing fees for fire lane, handicap and other parking violations. Mayor Katz directed the Village Clerk to make the additional changes and prepare the local law for review.

ITEM #3

RESOLUTION NO. 95-24

**RESOLUTION REFERRING TO THE PLANNING BOARD & OTHER AGENCIES THE
REVISED VILLAGE CODE SECTION 210 – VEHICLES AND TRAFFIC**

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Krull:

WHEREAS, the Board of Trustees of the Village of Wesley Hills deems it to be in the interest of the Village to consider the enactment of a revised local law amending the Code of the Village of Wesley Hills Section 210 - Vehicles And Traffic, and

WHEREAS, the Village Attorney, at the request of this Board, has prepared such a proposed local law entitled, “Amending the Code of the Village of Wesley Hills in Relation to Village Code Section 210- Vehicles And Traffic”,

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined that the enactment of such 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 such revised local law eliminates any ambiguity with respect to the treatment of parking tickets in the Village of Wesley Hills, 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, and Code Inspector of the Village of Wesley Hills, and pursuant to the GML of the County of Rockland Planning Department and all abutting municipalities,

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, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #4 **RESOLUTION NO. 96-24**
RESOLUTION AUTHORIZING HOLD HARMLESS AGREEMENT - 3 SKYLARK DRIVE

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, that the Indemnification and Hold Harmless Agreement between the Village of Wesley Hills and Abraham Breuer, 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 Agreement by signing same on behalf of the Village of Wesley Hills.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #5 **RESOLUTION NO. 97-24**
RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A PARKLAND ACCOUNT AT NYCLASS

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Schwartz:

WHEREAS, the Village Clerk-Treasurer wishes to establish a parkland account in NY CLASS to take advantage of the higher interest rate, and

WHEREAS, Village of Wesley Hills Village Board authorizes the Village Clerk-Treasurer to open a Parkland account in NYCLASS and authorize the Village Clerk-Treasurer to transfer money into and out of this account, and

NOW THEREFORE BE IT RESOLVED, that the Village Clerk Treasurer is authorized to open a NY CLASS parkland account and transfer funds in and out of said account.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #6 **RESOLUTION NO. 98-24**
RESOLUTION AUTHORIZING THE CONTRACT WITH CIVIL DESIGN WORKS FOR THE VILLAGE STORMWATER PROGRAM

Trustee Schwartz made motion to approve the following resolution, seconded by Trustee Tova:

RESOLVED, that the Proposal and Fee Schedule for Engineering Consulting Services for the Village of Wesley Hills by Civil Design Works, LLC, a copy of which is made a part of the Minutes of this Board, is hereby approved and the Mayor is authorized to indicate approval of such agreement on said document on behalf of the Village of Wesley Hills.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #7 **RESOLUTION NO. 99-24**
RESOLUTION AUTHORIZING THE ADOPTION OF THE 2024 RC HAZARD MITIGATION PLAN UPDATE

Trustee Schwartz made motion to approve the following resolution, seconded by Trustee Tova:

WHEREAS, all jurisdictions within Rockland County have exposure to natural hazards that increase the risk to life, property, environment, and the County and local economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs; and

WHEREAS, a coalition of Rockland County municipalities with like planning objectives has been formed to pool resources and create consistent mitigation strategies within Rockland County; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Village of Wesley Hills:

- 1) Adopts in its entirety, the 2024 Rockland County Hazard Mitigation Plan Update (the “Plan”) as the jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to this jurisdiction.
- 2) Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.
- 3) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.
- 4) Will continue its support of the Planning Partnership as described within the Plan.
- 5) Will help to promote and support the mitigation successes of all participants in this Plan.
- 6) Will incorporate mitigation planning as an integral component of government and partner operations.
- 7) Will provide an update of the Plan in conjunction with the County no less than every five years.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, and Trustee Krull. This motion was carried unanimously.

ITEM #8

RESOLUTION ACCEPTING SHADE TREE, SIGHT DISTANCE, UTILITY & SEWER EASEMENTS FOR ONE EAST LANE SUBDIVISION

Benjamin Selig, Village Attorney stated that he would like to table this item as he would like the subdivision map filed first before the easements are accepted.

Trustee Schwartz made a motion to table this item, seconded by Trustee Cherns. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #9

RESOLUTION NO. 100-24

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE TOWN OF RAMAPO FOR SIDEWALK FUNDS

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, that the Intermunicipal Agreement with the Town of Ramapo for ordinary and necessary administrative, construction and grant processing work necessary to make pedestrian safety and infrastructure sidewalk improvements on Route 306 from Lime Kiln Road to Old Pomona 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 approval of such agreement on said document on behalf of the Village of Wesley Hills.

DISCUSSION:

Mayor Katz stated that the Town of Ramapo was able to secure \$8M in funding and is sharing that with villages that have elected to participate. The Village of Wesley Hills will receive \$1M in funds towards the sidewalks on Route 306 from Lime Kiln Road to Old Pomona Road. The Village has agreed to allow the Town of Ramapo to handle the grant application and construction process. Mayor Katz stated that Civil Design Works has been authorized to develop a concept plan for the sidewalks along with a cost estimate. Once the Village has more information, Mayor Katz noted that he will share with the Board for future discussions on additional funding needs for this project.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #10

RESOLUTION NO. 101-24

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR A GRANT UNDER THE JUSTICE COURT ASSISTANCE PROGRAM, 2024-2025, ESTABLISHED BY THE STATE OF NEW YORK.

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Krull:

RESOLVED, the Village Board of Trustees of the Village of Wesley Hills authorizes the Village of Wesley Hills Justice Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.00.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #11

RESOLUTION NO. 102-24

AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS FOR THE WILDER ROAD -ADA-COMPLAINT SIDEWALK SYSTEM PROJECT

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Krull:

WHEREAS, a Project for the Wilder Road Sidewalks, Village of Wesley Hills, Rockland County PIN 8763.50 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Village of Wesley Hills desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and ROW incidentals.

NOW, THEREFORE, the Wesley Hills Village Board, duly convened does hereby.

RESOLVE, that the Wesley Hills Village Board hereby approves the above-subject project; and it is hereby further.

RESOLVED, that the Wesley Hills Village Board hereby authorizes the Village of Wesley Hills to pay in the first instance 100% of the federal and non-federal share of the cost of the preliminary engineering and ROW incidental work for the Project or portions thereof; and it is further.

RESOLVED, that the sum of \$238,808 is hereby appropriated from the General Surplus Fund and made available to cover the cost of participation in the above phase of the Project; and it is further.

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Wesley Hills Village Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Village Mayor thereof, and it is further.

RESOLVED, that the Mayor of the Village of Wesley Hills be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Village of Wesley Hills with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the Village Mayor the following municipal titles: Village Deputy Mayor, and Village Clerk-Treasurer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further.

RESOLVED, this Resolution shall take effect immediately.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #12 **RESOLUTION NO. 103-24**
RESOLUTION AUTHORIZING THE REIMBURSEMENT TO MIRIAM KATZ FOR TIRE DAMAGE

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, that the Village of Wesley Hills shall reimburse Miriam Katz the cost of the repair to her tire which occurred in the Village Hall parking lot as a result of a pothole; and

BE IT FURTHER RESOLVED, that the Village Clerk-Treasurer of the Village of Wesley Hills is hereby directed to refund Miriam Katz the sum of \$343.88 forthwith.

DISCUSSION:

Mayor Katz stated that Miriam Katz was utilizing the library drop off box twice over the weekend and both times hit the large pothole in the Village Hall parking lot. Mayor Katz stated that he feels that the Village should pay for her replacement tire.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #13 **RESOLUTION NO. 104-24**
RESOLUTION APPROVING ABSTRACTS OF AUDITED CLAIMS

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Schwartz:

RESOLVED, that the general fund claims #22,316 through #22,392 in the aggregate amount of \$152,359.23 as set forth in Abstract #10/24 dated October 1, 2024, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

ITEM #14

RESOLUTION NO. 105-24

RESOLUTION APPROVING TRANSFER OF FUNDS

Trustee Cherns made motion to approve the following resolution, seconded by Trustee Mause:

RESOLVED, that the transfers in the aggregate amount of \$230,000 as set forth in Abstract #10/24 dated October 1, 2024, a copy of which abstract of audited claims is made a part of the Minutes of this Board, are hereby approved.

Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

NEW BUSINESS

AUTHORIZING THE RELEASE OF ESCROW – 91 SPOOK ROCK ROAD

Mayor Katz stated that the developer would like to close out this escrow account and there are several issues that the Village Engineer has noted in his review letter dated September 30, 2024. Board Members stated that they feel that the developer should hire an attorney to deal with the new owner and the original owner of the property and resolve their issues, then request the escrow money to be released. Board Members further stated that there is no way for the Village to know if this money was part of the purchase and it actually belongs to one of the owners. Ben Selig stated that the Village should table this issue for the developer to hire an attorney and work through their issues.

Trustee Mause made a motion to table this item, seconded by Trustee Cherns. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause and Trustee Krull. This motion was carried unanimously.

MAYOR'S REPORTS

Speed Bumps on Willow Tree Road

Mayor Katz stated that he has received several complaints about the speed bumps. Concerns are placement and height of the speed bumps. Mayor Katz stated that he has forwarded all the concerns to the Superintendent of Highways and has been assured that by next season they will address the concerns and further noted that Ramapo will be removing the bumps in November for the winter season.

Speed Bumps Pomona Heights

Mayor Katz stated that he has received several complaints about the speed bumps and has also received requests to add more in the same neighborhood. Mayor Katz stated that he will reach out to the neighbors in the Spring for a better census from the neighborhood.

E Willow Tree Speed Tables

Mayor Katz stated that we never constructed the speed tables due to the high bidding prices we received. Mayor Katz noted that if we find speed bumps that work on the other streets, we may consider installing them on E Willow Tree Road.

Flooding on 34 Charlottle Drive

Mayor Katz stated that he shared with the Board the email from the resident concerning flooding on his property. Mayor Katz suggested that Civil Design review the situation and report back.

Upcoming Meetings

October 15 Workshop meeting
November 4 Regular meeting
November 19 Workshop meeting
December 3 Regular meeting
December 17 Workshop meeting

Village Clerk/Treasurer's Report

Camille Guido-Downey reported that October is the last month for residents to pay their Village taxes. To date the Village has collected 98% of the tax amount, the amount of \$17,701.20 is outstanding.

ADJOURNMENT

Trustee Cherns made a motion to adjourn the meeting, seconded by Trustee Schwartz. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Cherns, Trustee Mause, Trustee Krull. This motion was carried unanimously.

Respectfully Submitted,
Camille Guido-Downey