



BOARD OF TRUSTEES MEETING MINUTES

June 04, 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
Joseph Mause, Trustee
Tova Krull, Trustee (left at 8pm)

MEMBERS ABSENT:

Yisroel Cherns, Trustee

OTHERS PRESENT:

Camille Guido - Downey, Village Clerk-Treasurer

Mayor Katz opened the meeting at 7:05 pm followed by the pledge of allegiance.

ITEM #1**RESOLUTION #58-24****APPROVAL OF MINUTES**

Trustee Schwartz made a motion to approve the minutes of May 7, 2024, seconded by Trustee Mause. Upon vote, Yea: Mayor Katz, Trustee Schwartz, Trustee Mause, Trustee Krull. This motion was carried unanimously.

ITEM #2**CONTINUED PUBLIC HEARING - A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF WESLEY HILLS TO REVISE THE ZONING LAW IN RELATION TO FACULTY HOUSING AT SCHOOLS**

Mayor Katz stated that he has reviewed every email, all the of the public comments from the last meeting and has created a list of items for the Board to review. Mayor Katz stated that the ZBA does not have any further comments and the Planning Board has not provided comments to date. The Planning Board has 30 days to comment and they have exceeded that time.

Mayor Katz stated that based on the public input, letters received, and Board feedback, he has created a list of potential changes:

- *Section 1 – Consider striking 2nd sentence, “The Board of Trustee has been made aware that qualified Faculty of such school have found it difficult to obtain affordable housing near the Village.” Board Members agree with the removal.*

- *Section 1 – Should language be added to require applicants to be free of any state and local violations and be in compliance with NYS education laws?* Board Members stated that some language should be added in reference to the school’s accreditation that is required.
- *Section 2 – based on meeting with PB and ZBA chairs change last words to, “actual vehicular access to be designed along other available frontage.”* Board Members agree with this change.
- *Section 2 – Should we add language that PB discretion should not overrule public or County Highway Dept safety concerns that cannot be mitigated?* Board Members stated that this comment is not applicable as if any agency has comments during the Planning Board process they must be addressed.
- *Section 3 (17) (a) - based on meeting with PB and ZBA chairs change last words to, “from any street and be located on the same lot as the school.”* Board Members agree with this change.
- *Section 3 (17) (b) (3) - # of years school must have been in operation – draft says 3. Do we change? 5, 7, 10 have been proposed.* Board Members agree to 10 years.
- *Section 3 (17) (c) – A member of public proposed 1500SF, 1800SF average based on his reported average home size in NYS of 1500SF and USA of 2028SF. Do we want to make a change here?* Board Members are not in favor of the proposed change.
- *Section 3 (17) (d) – Bulk regulations – should there be different setbacks for this use?* Board Members stated that the law already states that the setbacks are the same as the bulk requirements for schools.
- *Section 3 (17) (e) – Request to redefine number of units every year. KATZ Comment – not practical as once the units are built you cannot add or remove them every year.* Board Members agree and no change is needed.
- *Section 3 (17) (f) - Request to include faculty family members in site occupancy calculations. KATZ Comment – not practical as this number is not fixed and cannot be known in advance.* Board Members agree, no change required.
- *Section 3 (17) (i) - based on meeting with PB and ZBA chairs change end of 1st sentence to, “are located, and the family of such faculty.”* Board Members agree with this change.
- *Section 3 (17) (i) – Request to exclude non-immediate family members i.e., grandparents – KATZ comment – getting into defining family members could put the Village in contravention of State laws.* Board Members agree and no change is needed.
- *Section 3 (17) (j) – Request to redefine qualified faculty members by looking at where they currently live.* Board Members stated not applicable.
- *Section 3 (17) (k) – Request to add an annual processing fee.* Board Members agreed and stated that a fee will be decided and added to the Village Fee Schedule, but this fee is not part of the law itself.
- *Section 3 (17) (m) - based on meeting with PB and ZBA chairs change to, “if the property is sold, transferred, leased or licenses to another school...” in 2 places and, “the status of the residential use of all faculty housing units on property shall immediately expire...”* Board Members agree with this change.
- *Section 3 (17) – request to add fines for failure to comply or make false statements.* Board Members stated that this is already reflected in the code.
- *Senate Bill 7791A – Faith based affordable housing act – which would allow religious corporations to bypass restrictive zoning barriers to build affordable housing on their land. This*

bill if passed might supersede our law and make it moot, but that is not a reason not to proceed. This law is still in committee and does not appear to have been taken up by the assembly. Board Members stated that the proposed law has no effect on the Village's choosing to pass this law. It was noted that it is not certain the State will pass its law and if it does, the Village will be required to comply, but that is not a reason not to pass our law at this time.

Mayor Katz questioned if the Board wants to wait for any Planning Board comments?

Board Members Schwartz & Krull answered yes, Mause answered no. In the end the Planning Board has time to comment until the next Village Board meeting.

Trustee Mause made a motion to close the public hearing, seconded Trustee Schwartz. Upon vote: Yea: Mayor Katz, Trustee Schwartz, Trustee Mause, Trustee Krull. This motion was carried unanimously.

Mayor Katz stated that the Village Board will act at our July 2, 2024, meeting at 7pm.

ITEM #3

DISCUSSION: DRAINAGE EASEMENT 2 ARDLEY PLACE

Paul Baum, Esq was present and presented his request. Mr. Baum stated that the homeowners at 2 Ardley Place constructed a new home, and it was discovered during the Village Engineer's inspections that the owner installed structures in the existing drainage easement on the property. There is a fence, rock wall and landscaping. Mr. Baum stated that the Village Engineer has provided a letter dated April 5, 2024, that outlines the items in the easement. Mr. Baum has provided the Village with an indemnification agreement for their consideration. Board Members stated that they would like to discuss this matter again next month when the Village Attorney is present.

ITEM #4

RESOLUTION #59-24

RESOLUTION APPROVING SPEED BUMPS ON WILLOW TREE ROAD

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

WHEREAS, the Village of Wesley Hills and the Town of Ramapo has received many speeding complaints on Willow Tree Road from residents and the Ramapo Police Department, and

WHEREAS, the Town of Ramapo and the Village are researching a more permanent solution, and are offering this solution as a temporary one to mitigate the speeding on Willow Tree Road and both parties fully understand that this is a test as to whether these speed bumps will help with the issue, and

WHEREAS, the Town of Ramapo has agreed to pay for the speed bumps, install three (3) temporary speed bumps, any associated signage on Willow Tree Road, and maintain the speed bumps in the Village of Wesley Hills, and

WHEREAS, the three (3) temporary speed bumps and associated signage on Willow Tree Road will be located from the roundabout to Grandview Avenue, as per the attached plan dated October 6, 2023, and

WHEREAS, the Town of Ramapo has agreed to further remove these temporary speed bumps prior to the expected winter storms and further reinstall them after such storms while they are in use, and

NOW, THEREFORE BE IT RESOLVED, that the Village of Wesley Hills agrees to allow the Town of Ramapo to pay 100% of the cost of three speed bumps, install and maintain them as described in the above resolution and in the locations shown on the attached plan dated October 6, 2023.

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

ITEM #5

RESOLUTION #60-24

APPROVAL OF A CONTRACT WITH CIVIL DESIGN WORKS FOR ENGINEERING SERVICES

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

RESOLVED, that the Proposal and Fee Schedule for Engineering Consulting Services for the Village of Wesley Hills by Civil Design Works, 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, and Trustee Mause. This motion was carried unanimously.

ITEM #6

RESOLUTION #61-24

RESOLUTION AUTHORIZING THE REDUCTION OF LETTER OF CREDIT FOR AMS ACQUISITIONS

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

WHEREAS, as part of the Planning Board Subdivision approval resolution #22-22, the Applicant was required to post an Irrevocable Letter of Credit, and

WHEREAS, AMS Acquisitions has posted the recommended amount of \$129,919.50 in cash instead of a letter of credit, and

WHEREAS, as per the Village Engineer's letter dated April 10, 2024, the required amount has been reduced to \$99,099.50 as several of the required site work items have been completed, and

WHEREAS, the Applicant has requested that the amount of \$30,820 be refunded as per the Village Engineer's memo, and

NOW THEREFORE BE IT RESOLVED, that based on the Village Engineer's memo dated April 10, 2024, the Village Board approves the refund in the amount of \$30,820 and the Village Clerk-Treasurer is hereby authorized to refund same.

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

ITEM #7

RESOLUTION #62-24

RESOLUTION AWARDING THE CONTRACT FOR THE RFP - HOLLAND LANE DRAINAGE IMPROVEMENT PROJECT

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

WHEREAS, the Village of Wesley Hills has experienced major flooding on Holland Lane from August 2023 to current, and

WHEREAS, the Town of Ramapo Highway Department has maintained the culvert and its adjacent structures and has noted that major restoration work is needed which is above and beyond the contract requirements, and

WHEREAS, the Village Engineer also inspected the culvert and its adjacent structures on Holland Lane and has advised the Village that this work is emergent as nearby residents are being flooded, and

WHEREAS, the Village of Wesley Hills agrees with the Village Engineer and wishes to declare this restoration work an emergency due to the flooding damage to certain residents on Holland Lane, and

WHEREAS, the Village has prepared a request for proposals and received three proposals for the requested restoration, and

NOW, BE IT RESOLVED, that the Village of Wesley Hills declares this restoration work an emergency, and

THEREFORE, BE IT FURTHER RESOLVED, that the Village awards the lowest responsible proposal to Belleville Landscaping Inc. and the Mayor is authorized to sign the necessary documents on behalf of the Village.

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

ITEM #8 **RESOLUTION #63-24** **RESOLUTION APPROVING ABSTRACTS OF AUDITED CLAIMS**

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

RESOLVED, that the general fund claims #21890 through #21991 in the aggregate amount of \$177571.82 as set forth in Abstract #6/24 dated June 4, 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, and Trustee Mause. This motion was carried unanimously.

ITEM #9 **RESOLUTION #64-24** **RESOLUTION APPROVING TRANSFER OF FUNDS**

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

RESOLVED, that the transfers in the aggregate amount of \$225,000 as set forth in Abstract #6/24 dated June 4, 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, and Trustee Mause. This motion was carried unanimously.

ITEM #10 - MAYOR'S REPORT

Sidewalk Funds

Mayor Katz stated that he participated in the announcement with the Town of Ramapo and NYS Assemblyman Lawler notifying the public of the grant funds. All the required paperwork will be distributed very soon. The Board Members will need to discuss this at our workshop.

McNamara & E Willow Tree Road

Mayor Katz has stated that the Village has requested the Village Engineer to review this intersection to square it off for better visibility. Police Reports were submitted and reviewed.

Sidewalk Survey

Mayor Katz stated that he spent time walking on each sidewalk in the Village. He has compiled a list of repairs that are needed. The County of Rockland has a concrete repair bid that the Village will utilize.

Lime Kiln Road/Wilder Road

There was a recent announcement that the County has agreed to allow the Village to make this intersection a 4-way stop intersection. The Village Engineer is preparing the plan.

ITEM #11 - VILLAGE CLERK/TREASURER'S REPORT

Camille Guido-Downey stated that the Village received eighteen complaints this past month. June is the 1st month of the new budget. It is currently tax collection time, bills have been mailed, and payments are coming in. Next month there will be a final budget cleanup for last year's budget.

ADJOURNMENT

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

Respectfully Submitted,
Camille Guido-Downey