



BOARD OF TRUSTEES MEETING MINUTES

September 12, 2023, at 7:00 PM

432 Route 306, Wesley Hills, NY 10952

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

MEMBERS PRESENT:

Marshall Katz, Mayor
Ed McPherson, Deputy Mayor
Ruth Ivey, Trustee
Milton Schwartz, Trustee
Yisroel Cherns, Trustee

MEMBERS ABSENT:

None

OTHERS PRESENT:

Ben 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 #111-23

APPROVAL OF MINUTES-August 8, 2023

Trustee Cherns made a motion to approve the minutes of August 8, 2023, seconded by Trustee Schwartz. Upon vote, Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz, this motion carried unanimously.

Item #2

Resolution #112-23

Appointment of Zoning Board of Appeals Member for a Term to Expire April 2027

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

RESOLVED, Mayor's appointment of Stuart Zelmanovitz as a Member of the Zoning Board of Appeals of the Village of Wesley Hills to fill the seat of Dennis Dale for the balance of a term expiring April 2027 is hereby approved.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #3

Appointment of First Alternate Member to the Zoning Board of Appeals – balance of a one-year term.

Mayor Katz appointed Barry Rozenberg as 1st Alternate Member of the Zoning Board of Appeals for the balance of a one-year term.

Item #4

Appointment of Second Alternate Member to the Zoning Board of Appeals – balance of a one-year term.

Mayor Katz requested to table this item to the October 2023 meeting, seconded by Trustee Cherns.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #5

Resolution #113-23

Resolution Authorizing the Filing of an Application for a Grant under the Justice Court Assistance Program, 2023-2024, established by the State of New York.

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

RESOLVED, that the Board of Trustees of the Village of Wesley Hills hereby authorizes the filing of an application for a grant under the Justice Court Assistance Program, 2023-2024, 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.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #6

Resolution Approving Proposal from Environmental Construction

Mayor Katz stated that as per Trustee McPherson's request, the Village sent a letter to Veolia Water for action. Mayor Katz requested to table this item to the October 2023 meeting, seconded by Trustee McPherson.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #7

Resolution #114-23

Resolution Approving the Proposal from General Code for File Sharing

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

RESOLVED, that the Village of Wesley Hills accepts the proposal from General Code for the incorporation of the Village's Code into the internal code enforcement program, a copy of which is

made a part of the minutes of this Board, is hereby accepted nunc pro tunc, 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, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #8

Resolution #115-23

Resolution Accepting the Performance Permit Bond for Congregation Trisk-Tolna

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

RESOLVED, that the Village of Wesley Hills accepts the Performance Permit Bond from Congregation Trisk-Tolna, for the continued construction at 33 Glenbrook Road, a copy of which is made a part of the minutes of this Board, is hereby accepted.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #9

Resolution #116-23

Resolution Accepting the Performance Bond for Mark & Miryam Silber

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

RESOLVED, that the Village of Wesley Hills accepts the Performance Bond from Mark & Miryam Silber, for the construction at 32, 34, 36 Powderhorn Drive, a copy of which is made a part of the minutes of this Board, is hereby accepted.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #10

Resolution #117-23

Resolution Approving Indemnification & Hold Harmless Agreement for 3 Villa Lane

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

RESOLVED, that the Indemnification and Hold Harmless Agreement between the Village of Wesley Hills and Israel & Miriam Nachfolger, 3 Villa Lane, a copy of which is made a part of the minutes of this Board, is hereby accepted nunc pro tunc, 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, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #11

Resolution #118-23

Resolution Approving Contract with Colliers Engineering for Lime Kiln/Wilder Warrant Analysis

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

WHEREAS, the Village of Wesley Hills has approved a traffic calming study/analysis for the intersection of Lime Kiln Road and Wilder Road due to the increase traffic accidents with Colliers Engineering, and

WHEREAS, after further discussions with Colliers Engineering and the County of Rockland Highway Department, the Village discovered that we need a warrant analysis to justify a temporary or permanent traffic signal at this intersection, and

WHEREAS, a proposal was received was from Colliers Engineering & Design, P.C., and

THEREFORE BE IT RESOLVED, that the proposal between the Village of Wesley Hills and Colliers Engineering & Design, P.C is hereby approved nunc pro tunc, a copy of which is made a part of the minutes of this Board, 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:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #12

Resolution #119-23

Resolution Notifying Rockland County Community Development that the Village will not be submitting a 2024 Grant Application

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

WHEREAS, the Village of Wesley Hills has received notification from Rockland County Community Development that the 2024 grant application is due, and

WHEREAS, after consideration it was determined that the Village will not be submitting a grant application for this grant cycle, and

NOW THEREFORE BE IT RESOLVED, that the Village of Wesley Hills will not be submitting a grant application through Rockland County Community Development for the 2024 grant cycle nunc pro tunc.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #13

Resolution #120-23

Resolution Approving Abstracts of Audited Claims

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

RESOLVED, that the general fund claims, #21,137 through #21,181 in the aggregate amount of \$188,970.06 as set forth in Abstract #9/23 dated September 5, 2023, 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, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #14

Resolution #121-23

Resolution Approving Transfer of Funds

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

RESOLVED, that the transfers in the aggregate amount of \$200,000.00 as set forth in Abstract #9/23 dated September 5, 2023, 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, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Item #15

Resolution #122-23

Resolution Accepting the Contract Assignment Letter from Brooker Engineering to Weston & Sampson P.E.

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

RESOLVED, that the Village of Wesley Hills accepts the contract assignment letter from Brooker Engineering dated September 6, 2023, a copy of which is made a part of the minutes of this Board, 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:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

NEW BUSINESS

Resolution #123-23

Resolution Approving the Lease Contract from Macquire Equipment Capital Inc.

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

RESOLVED, that the Lease Agreement between Macquire Equipment Capital Inc. and the Village of Wesley Hills for a 4004i coping machine, a copy of which is made a part of the minutes of this Board is hereby accepted, and the Mayor is authorized to execute same on behalf of the Village of Wesley Hills.

Upon vote:

Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. This motion was carried unanimously.

Mayor's Report

6 Pearl Drive

Mayor Katz restated that the Village sent a letter to Veolia as requested and we tabled the proposal to next month.

Faculty Housing Law

Ben Selig stated that he is meeting with Mr. Emanuel this week and will have an update for the next meeting.

Lime Kiln/Wilder Intersection

Mayor Katz stated that this week the traffic study is being conducted and within the next two weeks we should have the warrant analysis letter for the temporary traffic light. Mayor Katz stated further that within one month we should have the full traffic analysis. Mayor Katz stated that we received three proposals for rental and purchase of a 4-way traffic signal. The lower rental cost was Street Smart at \$65,000 per year. Mayor Katz polled the Board on purchasing verses rental and the results are as follows:

Cherns	Lease
Schwartz	Purchase as we could sell or rent the equipment when we are finished using it.
McPherson	Purchase
Mayor	Lease
Ivey	Lease

Mayor Katz requested the Village Clerk to contact Verde to inquire about lead times for the installation of a permanent street signal. Mayor Katz stated that this information will assist the Board in making the decision in reference to purchase or lease.

Spook Rock/Route 202/Lime Kiln

Mayor Katz stated that there was a meeting with NYSDOT, Ramapo Supervisor Specht, County Highway Superintendent Skip Vezzetti, Brooker Engineering to discuss the Spook Rock/Route 202/Lime Kiln intersection and its inadequate sight distances. The group discussed closing Spook Rock Road at the intersection, reconfiguring the Lime Kiln Road connection and building out the paper road called Sky Meadow Road. All parties are in support of this project and the County is going to take the lead and seek grant funding. There will be two property owners that would be negatively affected (those who would be adjacent to the new road), but many would benefit from reconfiguring the existing intersection and reducing accident rates.

Upcoming Meetings

September 19	Workshop meeting
October 10	Regular meeting
October 24	Workshop meeting

Village Clerk/Treasurer's Report

Camille Guido-Downey presented the monthly financial reports and stated the following information:

97% of the Village taxes were collected.

29 complaints with one for work without a permit

Arcadian Sherri lighting project is completed.

Village Hall renovation project is completed.

Emergency Services Day is September 10 from 11-3

September 24 at 9am is a gathering event at Village Hall in memory of Dennis Dale

September 18-22 I will be away for NYCOM training.

September 25 Village Hall closed.

EXECUTIVE SESSION

Trustee Cherns made a motion to enter Executive Session to discuss litigation and a personal matter, seconded by Trustee Ivey. Upon vote, this motion was carried unanimously.

No action was taken during the Executive Session.

Trustee Schwartz made a motion to exit the Executive Session, seconded by Trustee Cherns. Upon vote, this motion was carried unanimously.

ADJOURNMENT

Trustee Cherns made a motion to adjourn, seconded by Trustee McPherson. Voting Yea: Mayor Katz, Deputy Mayor McPherson, Trustee Ivey, Trustee Cherns, Trustee Schwartz. Upon vote, this motion was carried unanimously.

Respectfully Submitted,
Camille Guido-Downey