

REGULAR MEETING  
February 15, 2018

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, February 15, 2018 at 8:00 PM.

**Those present:** Mayor Tarapata, Trustees Esmay, Nye & Rothchild  
Village Clerk Carol G. Brotherhood, Treasurer Richard D. Fortunato, Village Attorney Robert P. Lewis

**Absent:** Trustee Diamond

**Others identified:** Lt. Morgan-CPD, Mort Korn, Hilarie Blumenthal, Fran Marton,  
Richard Fortunato

POLICE REPORTS – Lt Morgan appeared before the Board to present the report. Reported and discussed: Four minor accidents (2 on Route 9W; Castle Heights Ave; Perry Lane & N. Bway); Summit School: Eight incidents of altered mental state. They have seen an increase of alcohol use on campus); One domestic with an arrest and an order of protection; Two fires: Highmount (dryer) 209 Kuyper (burning brush with use of gasoline-summons issued); Report of suspicious person but homeowner didn't call until next day "See something, say something"; Fraud (7 forged checks cashed in amount of \$3000 Birchwood Ave address); deer caught on fence at elementary school)

Mort Korn, 6 Van Houten St., came to report incidents to the CPD regarding threatening behavior and language from the owner of the shipyard at 1 Van Houten St... Other neighbors, Hilarie Blumenthal, 300 Ellen St., and Fran Marton, 4 Castle Heights, also attended to express their concern for their safety because of the aggressive language and behavior from the owner of the shipyard.

Lt. Morgan stated that the CPD would act on the complaints and would speak to the owner of the shipyard. Residents should immediately contact CPD with any incidents of threatening behaviors or language.

TREASURER'S REPORT – Submitted for review

Treasurer Fortunato noted the following: grant documents for the \$50,000 roof grant for the OSMH had been mailed; Medicare reimbursement has increased from \$104 per month to \$134; Final pro rata check and any overtime or vacation due will be mailed in the next payroll cycle to Bryan Westervelt, who recently resigned his position from the DPW.

VOUCHERS – Read and approved for payment.

## EXECUTIVE SESSION

**7:35 PM** - Trustee Rothchild motioned for the Board to enter into executive session, seconded by Trustee Nye, and it was so moved. On a call for a vote:

AYES: Mayor Tarapata, Trustees, Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

**Discussion:** Legal matters and financial issues related to that

**7:55 PM** – Trustee Rothchild made a motion that the Board exit executive session, seconded by Trustee Nye and with no further discussion and a call for a vote:

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

OSMH: Discussion: The Board considered waiving the fee for village residents for the use of the OSMH in order to increase the use of the building.

Trustee Esmay made a motion to waive required fees for use of the OSMH by village residents, seconded by Trustee Rothchild and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

PARKING ON FRONT STREET: Discussion: Due to several properties on Front St. having no alternatives for parking (no driveways), the Board discussed modifying the law to allow some overnight parking on the street. The Village will for input from the DPW and from the Nyack Joint Fire District.

Trustee Esmay made a motion to set a public hearing for March 15, 2018 (this meeting was later changed to March 8, 2018) to amend Ordinance 2.2 a., seconded by Trustee Nye and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

Discussion regarding a policy or regulations for attendance to meetings by members of the Planning Board. After the discussion it was noted by the Village Attorney that the Board relinquishes control of the Land Use Boards and that they are governed by the Zoning Ordinance and the control for attendance is by them.

## RESIGNATIONS:

Planning Board: After a brief discussion, the Mayor accepted the resignation of

Michele McCarthy, effective February 22, 2018, from her position as member of the Planning Board.

Trustee Nye motioned to ratify the action of the Mayor, seconded by Trustee Rothchild and it was so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

The Mayor accepted the resignation of Danielle Watson, effective February 22, 2018 from her position as alternate member of the Planning Board and to also appoint Danielle to fill the unexpired term of Michele McCarthy.

Trustee Rothchild motioned to ratify the action of the Mayor, seconded by Trustee Esmay and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

Mayor Tarapata accepted the resignation of Bryan Westervelt from the Dept. of Public Works MEO II position.

Trustee Nye made a motion to ratify the action of the Mayor and to issue a thank you from the Board for his years of service to the Village, seconded by Trustee Esmay and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

Mayor Tarapata further noted that on behalf of the Village of Upper Nyack and the Village Board of Trustees, she would like to thank Bryan Westervelt for his 14 years of service to the Village. The Mayor acknowledged Bryan's skill and wide range of knowledge in the continuing fine condition of the village assets. Bryan's hard work and dedication are appreciated and will be missed.

The Mayor asked that a copy of the approved minutes be sent to Bryan.

**MINUTES** – Trustee Rothchild motioned to approve the minutes of the **1/18/18 Regular meeting**, as amended, seconded by Trustee Esmay and so approved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

**RESOLUTION** to hold a Public Hearing at the next regular meeting to Amend Ordinance 9.7 of the 1965 Code of General Ordinances, Tax Levy Limit in Excess

of Limit Established in GML Section 3-C

Trustee Esmay made the motion, seconded by Trustee Rothchild and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

Regular meeting: Change of date

Due to potential absences, Trustee Rothchild motioned to move the date of the regular meeting in March, a week earlier from the 15<sup>th</sup> to the 8<sup>th</sup>, seconded by Trustee Esmay and so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

Trustee Rothchild made a motion to adjourn, seconded by Trustee Nye and it was so moved.

AYES: Mayor Tarapata, Trustees Esmay, Nye & Rothchild

NOES: None

ABSENT: Trustee Diamond

The meeting was adjourned at 8:35 PM.

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk