

## REGULAR MEETING

May 17, 2012

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, May 17, 2012 at 7:00 PM.

**Those present:** Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna  
Village Clerk Carol G. Brotherhood, Treasurer MacCartney, Village Attorney Lewis

**Absent:**

**Other's identified:** PO Hodges, Vivianne Cerrati, Rosemarie Franieze, David Makan, Nadine N. Parkes Esq.

POLICE REPORT – PO Hodges appeared. Discussed: Juveniles gathering on Birchwood and going down to river through the vacant lot with campfire reported there; Larcenies noted: iphone, ATM card info taken with scanner at ATM site; vehicles not stopping at stop sign on Castle Heights & Ellen St.; juveniles gathering on Van Houten & Ellen St.

MINUTES – Trustee Hindin motioned the Board accept the corrected minutes of the Regular meeting of April 19, 2012, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

STREET CLOSING REQUEST: Empire Hook & Ladder Co. #1

Saturday, June 9, 2012 / 11:00 am until 1 pm

Discussion: The Board agreed to the street closing and requested a certificate of insurance.

Trustee Hindin made a motion to allow the closure of North Broadway, from Castle Heights Ave. to Birchwood Ave. on Saturday, June 9, 2012 from 11:00 am until 1:00 pm while a dedication ceremony is conducted by Empire Hook & Ladder Co. #1 at the firehouse, and that they provide the necessary certificate of insurance, seconded by Trustee Sarna and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

The Village Clerk will notify residents of North Broadway, Summit School, Perry Lane and Tompkins Court of the closing.

TREASURER'S REPORT – Submitted by Treasurer MacCartney

After discussion, Trustee Sarna made a motion to set up a reserve fund for repairs and maintenance of the Old Stone Meeting Place and to transfer the unused portion of approximately \$14,000 of the 2011-2012 funds into that reserve, seconded by Trustee Diamond and so moved

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

VOUCHERS – Read and approved for payment.

**7:30 PM** Continuation of public hearing to consider amending Article VII, Chapter 1, 1.6 Street Openings & Excavations of the 1965 Code of General Ordinances, also to be known as Local law #2 of 2012

There were no comments from the public.

Trustee Sarna made a motion to close the public hearing, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

After a brief discussion by the Board with the Village Attorney, and with minor changes made, Trustee Sarna made a motion that the Board adopt the amendment of Article VII, chapter 1, 1.6 Street openings & Excavations, seconded by Trustee Hindin and so moved

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

PROCLAMATION to Honor Harry Wanamaker Jr.

The Village Clerk read the attached proclamation which was signed by all members of the Board. The proclamation will be given to the family of Harry Wanamaker. (Copy attached)

AYES: Unanimous

HIGHLAND SUBDIVISION LOTS: Discussion re: purchase

At the May 10, 2012 workshop, Makan Construction presented a proposal for the purchase of the 6 lots from the Village. Treasurer MacCartney went to Orange County and toured several of the sites where the company is currently building houses. Mr. MacCartney was impressed by the operation and the materials being used. After a brief discussion, the Board asked members of the public to leave so the Board could move to executive session.

**8:06 pm Executive Session:**

Trustee Sarna made a motion that the Board of Trustees enter into executive session so they could discuss the purchase offer of the property, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

Discussion: Purchase offer of the property located between Route 9W and Roseland Rd.

**8:56 pm** Trustee Sarna made a motion that the Board exit executive session, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

Trustee Sarna made a motion to authorize the Mayor to execute the contract for sale of the lots in the Highland Subdivision for a minimum of \$975,000.00 and with no broker's commission on the sellers part subject to purchaser obtaining six(6) building permits provided the applications do not contain any requests for variance, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

Village Attorney Lewis was instructed to contact the Attorney for the buyer and to proceed with the Village's counter offer.

Motion to adjourn by Trustee Hindin and seconded by Trustee Sarna and so moved. The meeting was adjourned at 8:59 PM

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna

NOES: None

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk

# PROCLAMATION

At the Regular Meeting of the Board of Trustees of the Village of Upper Nyack held in Village Hall, 328 North Broadway, Upper Nyack, NY on Thursday, May 17, 2012 at 7:00 PM, and the following were present: Mayor Michael Esmay, Deputy Mayor Vincent S. Morgan, Trustee Joseph P. Diamond, Trustee Jeffrey S. Hindin and Trustee James A. Sarna and it was proclaimed that;

WHEREAS, the vitality of a community depends largely on the spirit and the pride of its citizens; and

WHEREAS, community spirit and pride are often reflected in service rendered to the community; and

WHEREAS, Harry Wanamaker Jr. had embodied the ideals of community service for many years; and

WHEREAS, Harry Wanamaker Jr. was a natural leader and had involved himself in community activities designed to advance human dignity; and

WHEREAS, Harry Wanamaker Jr. had been a life long resident of Upper Nyack where he lived with his wife Delynn and his children Tracy, Gail, Brian & Greg; and

WHEREAS, Harry Wanamaker Jr. had served as a Life member of Empire Hook & Ladder Co. #1; and

WHEREAS, Harry Wanamaker Jr. had been a Lieutenant of Fire Department of New York City Marine Co. #1, and

WHEREAS, Harry Wanamaker Jr. is on the list of firefighters who died as a result of the attack on the World Trade Center on September 11, 2001; and

WHEREAS, a plaque is being dedicated in Harry's honor by Empire Hook & Ladder Co. #1 on June 9, 2012, and

WHEREAS, it is the sense of this legislative body to publicly recognize those individuals who have distinguished themselves as outstanding citizens in their community; and

NOW, THEREFORE, BE IT

RESOLVED, that this legislative body pause in its deliberations to honor Harry Wanamaker Jr. for his outstanding community service, and be it further

RESOLVED, that a copy of this resolution be transmitted to the family of Harry Wanamaker Jr.

By the order of the Board of Trustees, May 17, 2012.



*Michael Esmay*  
Michael Esmay, Mayor

*Vincent S. Morgan*  
Vincent S. Morgan, Deputy Mayor & Trustee

*Joseph P. Diamond*  
Joseph P. Diamond, Trustee

*J. S. Hindin*  
Jeffrey S. Hindin, Trustee

*James A. Sarna*  
James A. Sarna, Trustee

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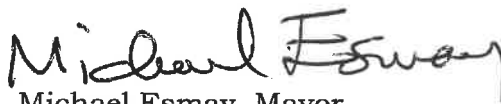
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Michael Esmay, Mayor