

REGULAR MEETING

September 20, 2012

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, September 20, 2012 at 7:00 PM.

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

Absent: Trustee Hindin

Others identified: PO Hodges, Clarkstown Police Dept., David & Kaete Nazaroff, Helga Brugger, Sandy Paycook, Edward Albert

Residents of Wydendown Rd.: Re: oil & chip on roadway:

Before the start of the regular meeting, Mayor Esmay allowed a group of residents from Wydendown Rd. who were in a hurry to get to a function at the UNES, to speak about the condition of the paving on their road. Dave Nazaroff led the discussion for this group. Essentially Mr. Nazaroff complained about the roughness of the surface which is not kid friendly and has caused some injuries (scrapes) and damage (punctured bike tire). Further that the rocks used were coarse and the road was not getting as smooth as promised because not as well traveled as other roads (cul de sac) Another resident noted that rocks were being tracked inside and scratching their floors. Mayor Esmay explained that the work was part of an ongoing program to seal the Village streets in order to extend their useful lives and was done using an aggregate that was sized for maximum durability. Mayor Esmay noted that the work was done to industry standards. The Board promised the group that they would review the matter.

POLICE REPORTS – PO Hodges appeared. Subjects discussed: Several reports from the Summit School regarding criminal mischief; petit larceny; radiators stolen from construction site; 2 individuals arrested for possession of marijuana; approx. 200 yds off shore from Petersen's Boatyard, a male boater (77 yrs old) fell into the water. Wife tried to save him and was assisted by another boater but he did not survive.

MINUTES – Trustee Morgan motioned to approve the minutes of the **8/16/12, Regular meeting**, seconded by Trustee Diamond, and so moved.

AYES: Mayor Esmay, Trustees Diamond & Morgan

NOES: None ABSTAIN: Trustee Sarna

ABSENT: Trustee Hindin

TREASURER'S REPORT – Read and noted.

VOUCHERS – Read and approved for payment.

RESOLUTION: Standard Schedule of Fees

Motioned: Trustee Sarna, Seconded: Trustee Morgan

Discussion: Village Attorney Lewis noted that because the fee schedule has been removed from the zoning code, the Board would need to pass a resolution to adopt the revised fee schedule as set forth in the Standard Schedule of Fees and to periodically review said fees at the annual meeting.

VOTE: Ayes: Mayor Esmay, Trustees Diamond, Morgan & Sarna

Noes: None

Absent: Trustee Hindin

REQUEST TO APPEAR:

Edward Albert, 501 North Midland Avenue; complaint Re: drainage & debris in yard
Mr. Albert appeared before the Board. Mr. Albert noted that he had last attended a Village Board meeting on September 23, 2004.

Since 1975 has had water problems. Since then driveway was repaired and berms added which helped. Mr. Albert read from a Goosetown Gazette newsletter which indicated the village would conduct a Village wide drainage study, with projects completed over time. Mr. Albert inquired what was being done.

Mayor Esmay noted several had been done and the Village was also studying the intersection of N. Midland and Old Mountain Rd.. Looking at the stream and headwall where water goes out onto the street. The Village Engineer has documentation showing the increase in the amount of rainfall and drainage systems in place unable to handle the capacity.

Trustee Sarna noted that the Village has done some drainage repairs within the limits of the budget. Cannot expend Village funds or enter onto private property for repairs.

The Board noted if the Village Engineer recommends a project the Village could do to alleviate the hardship and the funding is in place, the Village Board could consider that.

APPROVALS:

National Multiple Sclerosis Society-Bike MSNYC Bike Ride

Trustee Sarna motioned to approve the request for the fundraising bike ride on Sunday, October 21, 2012, provide the Village with Certificate of Insurance, seconded by Trustee Diamond and it was so moved. The Clerk will notify appropriate agencies of the event.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna

NOES: None

ABSENT: Trustees Hindin

Nyack Hospital Foundation

Be Healthy Run & Walk Sunday, October 14, 2012, 8 am to 10:30 am

Trustee Sarna motioned to approve the request for the Nyack Hospital Foundation Be Healthy Run & Walk on Sunday, October 14, 2011, seconded by Trustee Diamond and it was so moved. Appropriate liability insurance has been obtained. The Clerk will notify appropriate agencies of the event.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna
NOES: None
ABSENT: Trustees Hindin

Executive Session

8:53 PM Trustee Sarna made a motion that the Board of Trustees enter into executive session to discuss personnel matters and health insurance continuation seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna
NOES: None
ABSENT: Trustee Hindin

9:45 PM Trustee Sarna made a motion to exit executive session, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna
NOES: None
ABSENT: Trustee Hindin

The Board also discussed the review by the Planning Board of the village owned lots that are under contract for sale.

The OSMP was also discussed with construction proceeding for repair of the door, new HVAC, future repair of the roof. Village Attorney Lewis was asked about working on a usage agreement for when the building is ready to be rented.

Trustee Morgan made a motion to adjourn seconded by Trustee Sarna and so moved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna
NOES: None
ABSENT: Trustee Hindin

The meeting was adjourned at 9:46 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk