

REGULAR MEETING  
October 18, 2012

The Regular monthly meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, October 18, 2012 at 7:00 PM.

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

**Absent:**

**Others identified:** PO Hodges (CPD)

POLICE REPORTS – Submitted for review by Officer Hodges. Discussion of incidents for the month which included a dog running free; report of a young boy shooting at geese but was a soft-air gun-Father notified and will prevent it from happening in the future; 2 young girls approached by a stranger in a car, on Castle Heights; outdoor burning; elderly woman wondering-PO spoke to them about the CPD Lifesaver Program; report of 2 intoxicated youth; Incidents at the Summit School-cocaine arrest, 12 calls for missing youth and several other minor incidents.

MINUTES - Trustee Morgan made a motion to adopt the minutes of the **regular meeting of 9/20/2012**, seconded by Trustee Sarna and so moved.

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

NOES: None                      ABSENT: None

TREASURER'S REPORT- Submitted for review. Treasurer noted the recent sale of surplus items from the DPW: 1995 Dump Truck for \$3,000 and the salt spreader for \$1,000.

VOUCHERS - Read and approved for payment.

**Resolutions :**

**Resolution- Village Justice Court Audit**

Trustee Sarna made a motion to accept the Justice Court Audit as prepared by Marvin Nyman & Company for the fiscal year June 1, 2011 -May 31, 2012 and further that said Audit and resolution in the minutes be forwarded to the NYS Court Administration, seconded by Trustee Hindin and so moved.

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

NOES: None

New York State Energy Research & Development Authority "NYSERDA"

Trustee Morgan made a motion that the Village of Upper Nyack participate in the Energize New York Program to extend benefits of the residential energy efficiency program to the residents of Upper Nyack, seconded by Trustee Sarna and so moved. Discussion: Mayor Esmay noted that Mayor Leo A. Wiegman, Village of Croton-on-Hudson NY, had attended a workshop meeting to inform the Board about the program. Energy audits can be done for homeowners by contractors. The information will be posted on the Village website.

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

NOES: None

Energize Partnership Pact Resolution

WHEREAS, the Village of Upper Nyack wishes to participate in the Energize New York Program currently being piloted in the northern Westchester, in order to extend the benefits of this residential energy efficiency program to the residents of the Village of Upper Nyack, and

WHEREAS, the Energize Program requires local community participation in order to maximize the outreach in driving demand for energy updates of homes; and

WHEREAS, the Energize Program makes a robust toolkit of resources, including technical assistance, print and online materials, available to municipalities that agree to undertake the Energize Program; and

WHEREAS, eligibility for participation is predicated upon the Consortium member municipality's adoption of Energize Partnership Pact;

NOW, THEREFORE BE IT RESOLVED: that the Village of Upper Nyack hereby adopts the Energize Partnership Pact, which states as follows: Energize New York and the Village of Upper Nyack will work together to identify the key community resources, to wit, a Municipal Energize Liaison, Energize Champions, and Sponsors, (a.k.a. Local Trusted Sources), to support the short and long term success of the Energize Program in the Village of Upper Nyack.

BE IT FURTHER RESOLVED: The Village Board of Trustees authorizes the Mayor to appoint a Municipal Energize Liaison or Liaisons from among municipal staff or civic volunteers, with the understanding that the Liaisons will serve as the chief point of contact between the Energize staff and the Village of Upper Nyack and its residents and civic associations and groups interesting in promoting residential energy efficiency; and

BE IT FURTHER RESOLVED: The Liaison will work with the Energize staff to identify Energize Champions, who typically will be homeowners in the community who have already undergone a Home Performance energy assessment and implemented energy upgrade to achieve savings, and whose role will be to assist the Liaison in identifying local civic groups, both formal and informal, also known as Sponsors (a.k.a. Local Trusted Sources), whose members may be interested in learning about residential energy efficiency; and

BE IT FURTHER RESOLVED: The Liaison and local Energize Champions will collaborate in opening doors with civic groups for presentations about the Energize Program information, and any

other outreach methods that the Municipal Liaison, Champions, and Sponsors may find effective in tailoring the Energize Program to this municipality.

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

**Bid #DR-02-2012** Larchdale Outfall Bid review and awarding of bid  
Trustee Hindin made a motion to accept the bid for \$49,000 (item 1) and \$1.00 (item 2), from M. Ingannamorte & Son, seconded by Trustee Sarna and so approved.  
Discussion: Mayor Esmay noted that the bid amount was close to the estimate for the work and that although the Board was unfamiliar with the bidder the Village Engineer had thoroughly checked their references and entire bids documents for completeness.  
AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna  
NOES: None

**Bid Opening-October 15, 2012-11:00 AM**  
**Bid # DR-02-2012 Larchdale Avenue Outfall Replacement**  
**Village of Upper Nyack, Upper Nyack, NY**

Those present: Carol G. Brotherhood-Village Clerk, Barry MacCartney-Treasurer

Others identified: Elaine Collishaw-Victor P. Zugibe Inc.; Mike Daniele-Marini Bros. Const. Inc.; Ken Lewis-Laborers Local 754; Carl Wortendyke-Cal Mart Enterprises Inc.; Vinnie Arteaga-M. Ingannamorte & Son

The Village Clerk read the public Notice to Bidders.  
Five (5) sealed bid(s) were (was) received, opened and read aloud as follows:

<u>Bidder</u>	<u>Bid # 1</u>	<u>Bid # 2</u>	<u>Total</u>
Cal Mart Enterprises Inc. 4 Burts Road Congers, NY 10920	\$50,972	\$1,880	\$52,852
Victor P. Zugibe, Inc. 66 West Railroad Avenue Garnerville, NY 10923	\$62,000	\$800	\$62,800
M. Ingannamorte & Son 62 Piermont Road Tenafly, NJ 07670	\$49,000	\$1	\$49,001
Girls Gone Green LLC 617 North Broadway Upper Nyack, NY 10960	\$56,941	\$1,200	\$58,141
Marini Brothers Const. Co. Inc. 9 Lafayette Street Hackensack, NJ 07601	\$82,000	\$3,000	\$85,000

Bidding was closed at 11:07 AM  
Respectfully submitted, Carol G. Brotherhood, Village Clerk

Trustee Morgan made a motion to award the contract for resurfacing of Wyndendown Rd., Hook Mountain Lane, Bexman Green and Lewis Drive to New York Bituminous for \$27,756.37, seconded by Trustee Diamond and so moved.

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

Establish MEO II Position and Appointment of William Fay to the position:

Trustee Hindin made a motion that the Board of Trustees, on the verbal approval of the Rockland County Dept. of Personnel and subject to written approval, establishes the position of MEO II and that the Board appoints William Fay to the MEO II position, seconded by Trustee Sarna and it was so moved.

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

NOES: None

Eliminate MEO II & Maintenance Supervisor position

Trustee Hindin made a motion that the Board eliminate the position of MEO II & Maintenance Supervisor and that the Rockland County Dept. of Personnel be notified, seconded by Trustee Sarna and so moved.

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

NOES: None

The Board discussed the following items: recent performance reviews for the DPW; Village Engineer met with the DPW re: road opening permits with emphasis on issue on Highmount Ave., United Water project; repair of infrastructure(sewer & stormwater)and a recent discussion with the Village Engineer re: the sewers, paving and drainage.

Trustee Diamond updated the Board about work at the Old Stone Meeting Place: electrical work is proceeding,; HVAC nearly complete; will be researching grants to cover the cost of the slate roof replacement; will be getting the committee back together to view all work and get ready for the upcoming Bicentennial celebration.

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

The meeting was adjourned at 8:40 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk