

REGULAR MEETING
January 20, 2011

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the Village Hall on Thursday, January 20, 2011 at 7:00 PM.

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

Absent: Treasurer Barry MacCartney

Others identified: PO Hodges, James Wendling, Guiseppe Pagano, Marcelo Reggiardo, Michael Lagana, Michelle Whalen, Michael Leifer, Larry Weinstein, Jan Slater

POLICE REPORTS – PO Hodges appeared. Noted there were reports of some larcenies; a routine traffic stop yielded an arrest of the driver for driving with a suspended license, registration and no insurance.

JUSTICE REPORT – Not available

RESOLUTION – Courtyard at Upper Nyack
Performance Bond Reduction/Drainage Easement

James R. Wendling, representing Wilder Balter Partners, LLC, came before the Board to discuss a Performance Bond Reduction. Mr. Wendling had appeared at the Planning Board to request a reduction of the Performance Bond and was told it would require an action by the Village Board. The Village Engineer, Dennis Letson, was then assigned to make an inspection of the Courtyard/Riverton subdivision project to assess the status of completion of the public improvements and the drainage facilities. Mr. Letson submitted his report to the Board with the recommendation to reduce the Performance Bond to reflect the degree of completion of public improvements, but to defer dedication of the detention ponds as Village assets until development of more lots has been completed and the drainage system is less prone to siltation. Village Attorney Lewis noted that he agreed with the recommendation of the Village Engineer. With no further discussion, the Mayor asked for a motion:

Trustee Sarna made a motion to accept and adopt the recommendation of the Village Engineer Dennis Letson, to reduce the Bond of Courtyard at Upper Nyack/ Wilder Balter Partners, LLC (now known as Riverton Homes) to the amount of \$261,414.00 and that the amount should be reviewed annually to insure that adequate security is held, seconded by Trustee Morgan and so moved.

On a call for a vote:

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

NOES: None

New Vision Management – Larry Weinstein

Larry Weinstein and John Mascia, partners of New Vision Management came before the Board to inquire about purchasing the 6 village owned lots created by the Highland Subdivision. Mr. Weinstein & Mr. Mascia proposed an offer of \$150,000 for the front lots and \$130,000 for the rear lots. (Nothing in writing has been received). Mr. Weinstein and Mr. Mascia told of their construction experience, in Rockland County, to the Board of completed projects and projects they were currently working on or would be working on in the future. The Mayor and the Board thanked the gentleman for their interest and will discuss at a future workshop.

MINUTES –

Trustee Hindin made a motion to approve the minutes of the **11/18/2010 Regular meeting**, with corrections, seconded by Trustee Diamond and so approved.

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

NOES: None

Trustee Hindin made a motion to approve the minutes of the **12/16/2010 Regular meeting**, with corrections, seconded by Trustee Sarna and so approved.

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

NOES: None

VILLAGE ELECTION:

Inspectors of Election – Trustee Morgan made a motion to appoint the following Inspectors of Election for the March 15, 2011 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour : Beatrice Wanamaker, Dorina Maragliano, Elisabeth Minford, and Isobel Weiner, seconded by Trustee Sarna and so approved. Dorian Maragliano will serve as the Chairperson of the inspectors.

On a call for a vote on the motion:

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

NOES: None

Discussion: the Board discussed construction on Sundays. The consensus was for the Board to concentrate on noise and developing a noise ordinance. The clerk will obtain the noise ordinance from the Town of Clarkstown.

TREASURER'S REPORT – Submitted for review. Budget process has begun.

Treasurer MacCartney noted that the sweeper was being delivered to the dealer in Glen Rock NJ and the DPW Supervisor and employees would be trained on the operation at the dealer.

VOUCHERS – Read and approved for payment.

Between 8:10 pm and 9:00 pm, various residents came to the meeting to discuss with the Board any follow up information to the Dec. 14th meeting held at the Upper Nyack

School. The residents wanted to discuss services provided or not by the Town, for example taxes, recreation, roads and services provided.

Trustee Morgan made a motion to change the village calendar of 2011 by changing Grievance day from February 17, 2011 to March 10, 2011 from 4 pm to 8 pm, subject to the availability of the village assessor. No Workshop will be held on March 10, 2011, Seconded by Trustee Hindin and so moved.

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

NOES: None

Trustee Diamond made a motion to adjourn, seconded by Trustee Hindin and so moved. The meeting was adjourned at 9:30 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk