

## REGULAR MEETING

July 21, 2011

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, July 21, 2011 at 7:00 PM.

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

**Absent:** Trustees Diamond & Sarna

**Other's identified:** PO Hodges CPD, Jeffery Grand, Nora Pereira, Erminio D'Agastino, Mirian Rivera, Thomas Sullivan

POLICE REPORT – PO Hodges appeared. Submitted report. Read and noted. Officer Hodges noted that the police were continuing the area checks at Birchwood and N. Broadway for reports of vehicles and young adults parking and gathering there. So far unfounded. Also discussed V&T tickets increased, someone stopped from selling magazines without a peddlers license, and speeding tickets given on village streets not just Route 9W, a fawn entered a home through a window.

JUSTICE REPORT - Not available

### Glenbrook Road- Storm damage

Nora Pereira, 211 Glenbrook Rd appeared before the Board to discuss the recent storm damage but noted that residents of the road have been complaining for at least 20 years and situation got worse when the high school was built.

Trustee Hindin and Treasurer MacCartney addressed the concerns by noting that the Village will be doing repairs from the June 23, 2011 storm and that the Village is looking for funding for the sewer repair. Estimates for the repairs have come in very high just to repair the damaged pavement without even considering the drainage that needs to be done. The Village did clean out and open up the drainage pipe that runs under Glenbrook Rd. A homeowner on Glenbrook put a pipe in the brook and built a walkway over it. The Village Engineer will be reviewing and have the homeowner remove it.

Nora Pereira told the Board she had personally paid a lot of money over the years to install sump pumps, French drains on her property to keep water from damaging her property. Concern that the pavement is undermined and wishes the Village would do all the repairs (drainage, sewer) while the road

is open.

Mayor Esmay did agree that a lot of water does come from the high school and Camp Ramah on Christian herald Rd.

Trustee Hindin stated that bids would be requested for work based on Orangetown sewer and engineer reports. Need is t get through the emergency situation and move on to remediation. Drainage was put in place on the village owned property to try and alleviate water problems.

Mayor Esmay noted that the DEC is requiring the repair to the sewers.

Upper Birchwood will be done first because the pipes are almost non-existent in some spots. A contract has been signed to begin the work and Glenbrook will be next. The pipe under Glenbrook was opened up but not fixed. The Board will ask the Village Engineer to look at it.

LOCAL LAW #1 of 2011- Ordinance 4.7 to Prohibit Illicit Discharges, Activities and Connections to Separate Storm Sewer System

Trustee Morgan made a motion that the Board of Trustees hold a public hearing at the next regularly scheduled Board of Trustees meeting, at 7:30 pm, for the Board to consider the proposed local law #1 of 2011, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None                      ABSENT: Trustees Diamond & Sarna

MS4-SPDES REPORT-

Presentation of the MS4 Stormwater Management Program  
Annual Report of 2011

After having reviewed the MS4 Report, Trustee Hindin made a motion to accept the MS4-SPDES report and note the Mayor has signed and certified, and submitted the report to the NYS DEC, seconded by Trustee Morgan and it was so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None                      ABSENT: Trustees Diamond & Sarna

Trustee Morgan made a motion that the regular meeting in August be postponed to August 25<sup>th</sup>, 2011 at 7:00 PM, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None                      ABSENT: Trustees Diamond & Sarna

MINUTES - Trustee Morgan made a motion to approve the minutes of the

**regular meeting of 6/16/2011**, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None

ABSENT: Trustees Diamond & Sarna

Trustee Morgan made a motion to approve the minutes of the **special meeting of 7/6/2011**, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None

ABSENT: Trustees Diamond & Sarna

Employee Guidelines/ Tabled

TREASURER'S REPORT – Not available

VOUCHERS – Read and approved for payment.

APPOINTMENT: Trustee Morgan made a motion that the Board of Trustees ratifies the appointment of Laura Weintraub as an alternate member of the Architectural Review Board to March of 2013, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees, Hindin & Morgan

NOES: None

ABSENT: Trustees Diamond & Sarna

The Board received a request from the YMCA for a 5K fundraising race that is proposed to be held on Saturday, October 29, 2011 beginning at 9 am. After some discussion and based on the letter received the Board had significant concerns how the race could be accomplished without closing Broadway, a main thoroughfare, and the Board was not in favor of closing the street from the Nyack line up to Old Mountain Road. Further information will be required.

#### RESOLUTION

Trustee Hindin made a motion that the fee to obtain a license for Peddling, Hawking and Soliciting will be set at \$100 per license, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Hindin & Morgan

NOES: None

ABSENT: Trustees Diamond & Sarna

The Board also discussed the peddling, hawking and soliciting law.

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

AYES: Mayor Esmay, Trustees, Hindin & Morgan

NOES: None

ABSENT: Trustees Diamond & Sarna

The meeting was adjourned at 9:20 PM.

Respectfully submitted,

Carol G. Brotherhood

Village Clerk