

## REGULAR MEETING

October 20, 2011

The Regular monthly meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, October 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:** Village Treasurer Barry MacCartney

**Others identified:** PO Hodges (CPD), Dorina Maragliano, Rev. Bruce Woodcock, Theresa Stemkanski Dorritie, Carol Dorritie, Jock deCamp, Walter Karopczyc

POLICE REPORTS – Submitted for review by Officer Hodges. Two reported larcenies, noise complaints and a wellness check (advised & contacted Adult Protective Services-APS) V&T summonses were down.

JUSTICE REPORT – Not available

### REQUEST TO APPEAR:

- a) Dorina Maragliano, 109 School St.- Ms. Maragliano came to express her desire to form a senior citizens club in Upper Nyack. She has contacted Clarkstown Rec. and was told that she would need to poll the residents to see if there is any interest. Ms. Maragliano was also told that there would need to be at least 25 people to form a club. The Board told Ms. Maragliano they would support this. The Village Clerk will post a notice online and on the outdoor sign board. The Clerk will also put together a list of residents who may be interested. Mayor Esmay commended Ms. Maragliano for her work & interest in organizing a club.

b) Rev Cannon Bruce Woodcock, 106 Castle Heights Ave., came to discuss with the Board the replacement of the fence that borders his property and the village parking lot and landscaping of that area. (letter attached) The Board requested viewing a survey of the property, if one exists, for further discussion. Rev Woodcock would also like to remove the black walnut tree and wondered if there might be some help from the village with that.

c) Jock decamp, 349 North Broadway, wanted to discuss the Old Stone Meeting Place and inquired if there was any progress on policies for use of the building. Trustee Diamond noted there has to be a resolution concerning the safety of the existing front door before the building can be occupied. Mayor Esmay noted the final decision would be up to the Building Inspector. Village Attorney Lewis stated there would be a resolution of the Board adopting policies for the use of the building and that may be modified as the building is used. Mr. deCamp also wanted to discuss the Summit School and the ongoing construction.

Mr. deCamp feels the site is not being kept tidied. Also has issue with students who leave the school property and hang out in the village and has found drug paraphernalia. Students off campus or smoking on the street are not in violation of any law. Village Attorney Lewis said the Board could write a letter to the school authorities and arrange a meeting.

Mayor Emsay will speak with the Building Inspector and ask him to check the area during his next inspection.

d) Teresa Dorritie, 517 North Broadway, came to discuss her concerns about Fellowship of Reconciliation (FOR) and their ongoing outdoor events. Ms. Dorritie noted that the FOR held 4 events in Sept. and 8 over the summer. There is always loud music and lots of on street parking. Ms. Dorritie said that a guest actually parked in her private driveway. Ms. Dorritie came to the Board last year with a signed petition. The Building Inspector was asked to check and nothing seems to have been done. Appeared at last month's meeting and was told the BI would visit the site and write another letter. Mayor Esmay noted that FOR appears to be operating in a way that is at variance with what is allowed in a residential zone. The Board will inquire where the BI is at in his investigation.

The Board noted the applicability of zoning regulations for "Places of Assembly".

The Board also discussed the possibility "no parking" regulations on Broadway. The Board could also send a notice with the regulations for Places of Assembly and if FOR doesn't comply then a violation could be posted to the property. It is a health, safety and welfare issue.

The Board requested the Village Attorney to work with the Building Inspector to draft a letter to FOR.

MINUTES - Trustee Morgan made a motion to adopt the minutes of the **regular meeting of 8/25/2011**, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Diamond & Morgan

NOES: None ABSENT: None

ABSTAIN: Trustees Hindin & Sarna

Trustee Morgan made a motion to adopt the minutes of the **regular meeting of 9/15/2011**, with amendments, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None ABSENT: None

ABSTAIN: Trustees Sarna

TREASURER'S REPORT- Submitted for review. Treasurer MacCartney informed the Village Clerk prior to the meeting that the annual audit is almost completed.

VOUCHERS - Read and approved for payment.

### ROCKLAND FARM ALLIANCE

Trustee Hindin made a motion that the Board of Trustees adopts a resolution (attached) in moral support of the Rockland Farm Alliance, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None      ABSTAIN: Trustee Sarna

After a lengthy discussion, Trustee Morgan made a motion that the Board of Trustees hold a public hearing on November 17, 2011 to consider a proposed local law amending Ordinance 2.2(e) of the Code of General Ordinances, seconded by Trustee Diamond and so moved. The proposed law would prohibit parking on North Broadway from Birchwood Ave to the Nyack Beach State Park.

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

NOES: None

### EXECUTIVE SESSION

**9:20 PM** Trustee Morgan made a motion that the Board enter into executive session to discuss personnel matters, seconded by Trustee Hindin and so moved.

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

NOES: None

**10:08 PM** Trustee Sarna motioned to 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 adjourn seconded by Trustee Morgan and so moved. The meeting was adjourned at 10:09 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk