

## REGULAR MEETING

February 11, 2010

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, February 11, 2010 at 7:00 PM.

**Those present:** Deputy Mayor & Trustee Morgan, Trustees Diamond & Hindin  
Village Clerk Carol G. Brotherhood, Treasurer Barry McCartney, Village Attorney  
Robert P. Lewis (arrived at 7:40 pm)

**Absent:** Mayor Esmay, Trustee Sarna

**Others identified:** CPD(absent) No one from the public attended.

In the absence of Mayor Esmay, Deputy Mayor Morgan conducted the Regular Meeting of the Village Board and acted in the role of Deputy Mayor until the Mayor's return on February 26, 2010.

POLICE REPORTS – Not available

JUSTICE REPORT – Not available

TREASURER'S REPORT – Submitted for review. Board discussed the budget for salt and overtime for snow removal.

VOUCHERS – Read and approved for payment.

MINUTES – Trustee Hindin motioned to approve the minutes of the **1/21/10 Regular meeting**, seconded by Trustee Diamond and so approved.

On a call for a vote:

AYES: Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

RESOLUTION- Preparation of bid packages

After a brief discussion, the Board made the following resolutions:

**Curbs & Sidewalks- North Midland Avenue:**

Trustee Hindin made a motion that the Board of Trustees of the Village of Upper Nyack request the Village Engineer to prepare a bid package and return it on or before the March 18<sup>th</sup>, 2010 regular meeting, seconded by Trustee Diamond and so moved.

AYES: Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

**Sewer & Drainage Extensions on Roseland Road:**

Trustee Hindin made a motion that the Board of Trustees of the Village of Upper Nyack request the Village Engineer to prepare a bid package and return it on or before the

March 18<sup>th</sup>, 2010 regular meeting, seconded by Trustee Diamond and so moved.

AGREEMENT-VILLAGE FORESTER

Trustee Hindin made a motion to authorize the signing of a standard agreement with Ira Wikes/Arborists for a Village Forester, seconded by Trustee Diamond and so moved.

AYES: Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

RESOLUTION – Cornell Cooperative Extension Rockland County/2010 Stormwater II Education Agreement

Trustee Hindin made a motion that the Village of Upper Nyack renew its participation in the Cornell University Cooperative Extension 2010 Stormwater Education Program and authorize payment of the \$1000 annual fee, seconded by Trustee Hindin and so moved.

AYES:, Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

Trustee Diamond made a motion that the Board of Trustees direct the Village Clerk to work with Rockland County Personnel to identify a position for an additional assistant building inspector, seconded by Trustee Hindin and so moved.

AYES:, Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

Deputy Mayor Morgan noted that Councilwoman Shirley Lasker, Town of Clarkstown, requested that the Village of Upper Nyack join the Town by passing a Memorializing resolution regarding the proposed desalination facility of United Water New York.

Trustee Hindin motioned, seconded by Trustee Diamond and it was so moved.

(Resolution attached)

AYES:, Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

Village Attorney Lewis discussed with the Board a request by the Orangetown Sewer District as ordered by the DEC to eliminate all infiltration into the sewer system from illegal hook ups of sump pumps, roof leaders, and other groundwater drainage systems. The Board also discussed a possible lawsuit regarding the Clarkstown Landfill.

Trustee Diamond made a motion to adjourn seconded by Trustee Hindin and it was so

moved.

AYES: Deputy Mayor Morgan, Trustees Diamond & Hindin

NOES: None

ABSENT: Mayor Esmay, Trustee Sarna

The meeting was adjourned at 8:58 PM.

Respectfully submitted,

Carol G. Brotherhood

Village Clerk

**A Resolution Regarding Desalination Facility Proposed by United Water of New York to be Built and Operated in the Town of Haverstraw, New York**

WHEREAS, water produced by desalination is on average 3.5 times more expensive than water from other freshwater sources, and

WHEREAS, the majority of existing desalination plants around the globe are located in arid areas without other sources of fresh water, unlike Rockland County

WHEREAS, the high volume intake of water from Haverstraw Bay by the Indian Point and Bowline power generation stations poses a known hazard to aquatic life in a recognized fish hatchery area, so a new water intake pump will only exacerbate an already bad situation, and

WHEREAS, United Water has noted that desalination plant operations do have the potential to result in long-term adverse impacts to fish and macroinvertebrates in the Hudson River, and

WHEREAS, the filtration and desalination byproducts, including polychlorinated biphenyls (PCB), radionuclides, organic and inorganic compounds, and concentrated brine will be returned to the Hudson via the local sewage treatment plant which has not been designed for the purpose, and

WHEREAS, unlike the brine, the fresh water product will not necessarily be returned to the Hudson, since United Water's piping serves areas outside of the Hudson watershed, thus creating a potentially harmful increase in net salinity in the local environment, and

WHEREAS, the increased electrical energy consumed in the desalination process will contribute to greenhouse gas emissions from combustion of fossil fuels, and

WHEREAS, the proposed desalination plant, designed to produce drinking water for public consumption, will be built on a former landfill (i.e., dump) site, and

WHEREAS, other means of providing and conserving adequate supplies of water, such as improved maintenance of existing water pipes or development of the long-anticipated Ambrey Pond reservoir, need to be studied so that a careful cost-benefit comparison can be made.

THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Upper Nyack, through this memorializing resolution, respectfully requests that the New York State Department of Environmental Conservation conduct a rigorous review of the proposed desalination plant, including a requirement that United Water Corporation conduct a comprehensive, independently audited study of the integrity of its water distribution infrastructure, including an estimate of the water losses that could be reversed by proper system maintenance, before any further action is taken on the desalination proposal.

AND LET IT BE FURTHER RESOLVED, that the Village Board of the Village of Upper Nyack, New York directs the Village Clerk to forward a copy of this resolution to the Governor of New York State, the Commissioner of Environmental Conservation, and the New York State Attorney general as well as the United States Environmental Protection Agency and the management of United Water of New York so that the concerns of the Village Board are properly memorialized for appropriate response by any and all authorities involved in the review of the proposed desalination facility.