

REGULAR MEETING

July 15, 2010

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, July 15, 2010 at 7:00 PM.

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

Absent: Treasurer MacCartney

Other's identified: PO Hodges CPD, Alan Englander, William Pfaff, Ellen Simpson,
Norwell Therien, Bruce Biavati, Karen Olson

POLICE REPORT – PO Hodges appeared. Submitted report. Read and noted. Officer Hodges noted that there were larcenies from unlocked vehicles. It was determined that William Fay Supervisor of the DPW or whoever is on call, would be called to pick up dead deer during a weekend. The Board told Officer Hodges they were very appreciative to have the report.

JUSTICE REPORT - Submitted. Read and noted.

MINUTES - Trustee Morgan made a motion to approve the minutes of the regular meeting of 6/18/2010, seconded by Trustee Sarna and so moved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna

NOES: None

ABSTAIN: Trustee Hindin (not in attendance at meeting on 6/17/10)

TREASURER'S REPORT – Not available

VOUCHERS – Read and approved for payment.

2010 PAVING PROGRAM BIDS (MILLING & RESURFACING)

Trustee Sarna abstained from all discussion and voting due to the fact that Tilcon New York Inc. is a client of his.

Bid # PV-01-2010 -Pavement Milling

Trustee Hindin made a motion to accept the bid from Garrity Asphalt Reclaiming Inc. for \$45,500.00 for pavement milling, seconded by Trustee Morgan and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSTAIN: Trustee Sarna

Bid # PV-02-2010-Pavement Resurfacing

Trustee Hindin made a motion to accept the bid from Ilcon New York Inc. for \$109,203.00 for pavement resurfacing, seconded by Trustee Morgan and with no further

discussion it was so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSTAIN: Trustee Sarna

7:20 pm Trustee Morgan made a motion that the Board enter into executive session to discuss Fire District lease for the fire house and it was so moved.

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

NOES: None

7:30 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

The Board determined there would be no workshops held in August.

Mayor Esmay read a Proclamation to honor Alan Englander, outgoing Planning Board member, thanking him for his years of dedicated volunteer service.

The Board of Trustees agreed to Alan's volunteer consultant/advisor position for green and sustainable building.

Alan voiced his appreciation for the recognition.

7:35 PM The Board of Trustees held a joint meeting with the Planning Board.

Mayor Esmay mentioned to the Planning Board that in September a public hearing would be held to propose that Upper Nyack become a Town/Village which would serve the village better financially and lower taxes.

The Boards discussed zoning, accessory apartments, overlay zones & view corridors and fencing (deer), property maintenance (enforcement), zone change from LO to OB, storage POD's (limitations). The two Boards plan to meet again in October.

Trustee Sarna made a motion that the Board of Trustees designate Alan Englander as the Green & Sustainable building consultant to the Upper Nyack Planning Board as an unpaid and honorary consultancy, seconded by Trustee Diamond and so moved.

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

NOES: None

Trustee Sarna made a motion that the Board of Trustees ratify the appointment of Karen Olson as a full member of the Planning Board to fill the unexpired term of Alan Englander 10 2011, seconded by Trustee Morgan and so moved.

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

NOES: None

Discussion: The Board discussed and reviewed a new local law adopting the sewer

requirements, regulations and penalties of the Orangetown Sewer District.
The Board voted to table for further review of the law.

Establish positions of MEO I and MEO II and make appointments to those positions:

Trustee Hindin made a motion to establish the position of MEO I as certified by the Rockland County Dept. of Personnel and to appoint **Christopher Gessel** to **MEO I** effective 6/24/2010, seconded by Trustee Morgan and so moved.

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

Trustee Hindin made a motion to establish the position of MEO II as certified by the Rockland County Dept. of Personnel and to appoint **Bryan Westervelt** to **MEO II** effective 6/24/2010, 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 Hindin and so moved.
The meeting was adjourned at 10:00 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk

PROCLAMATION

At the Regular Meeting of the Board of Trustees of the Village of Upper Nyack held in Village Hall, 328 North Broadway, Upper Nyack, NY on Thursday, July 15, 2010 at 7:00 PM and the following were present: Mayor Michael Esmay, Deputy Mayor Vincent S. Morgan, Trustee Joseph P. Diamond, Trustee Jeffrey S. Hindin and Trustee James A. Sarna and it was proclaimed that;

WHEREAS, the vitality of a community depends largely on the spirit and the pride of its citizens; and

WHEREAS, community spirit and pride are often reflected in service rendered to the community; and

WHEREAS, Alan Englander has embodied the ideals of community service for many years; and

WHEREAS, Alan Englander is a natural leader and has involved himself in community activities designed to advance human dignity; and

WHEREAS, Alan Englander has been a resident of Rockland County and has lived in Upper Nyack for 54 years; and

WHEREAS, Alan Englander was appointed to the Architectural Review Board in March of 1995 to a 5 Year Term; was re-appointed for another 5 year term in 2000; and alternate member of the Planning Board from 1998 until August of 2008 and,

WHEREAS, Alan Englander was appointed as Member of the Village of Upper Nyack Planning Board in August 2008 to fill the unexpired term of William McDowell

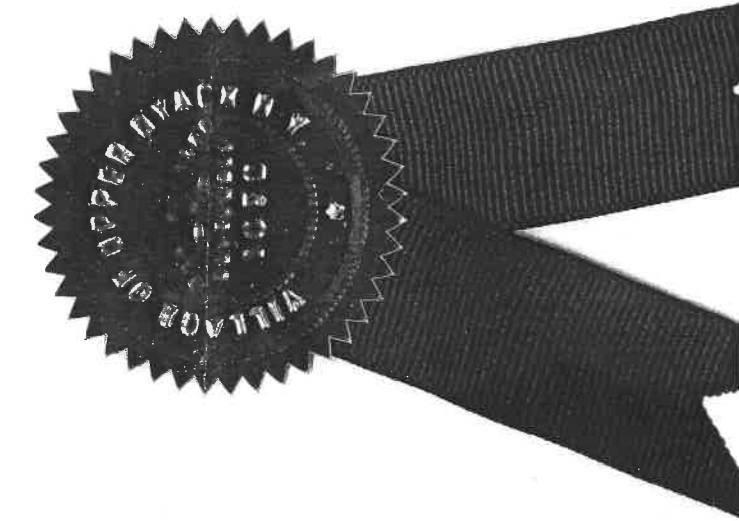
WHEREAS, it is the sense of this legislative body to publicly recognize those individuals who have distinguished themselves as outstanding citizens in their community; and

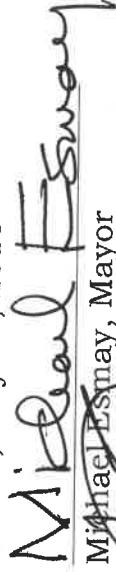
NOW, THEREFORE, BE IT

RESOLVED, that this legislative body pause in its deliberations to honor Alan Englander upon the occasion of his outstanding community service, and in his own words "Although he has moved, Upper Nyack is where his heart is." and be it further

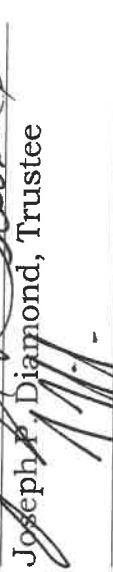
RESOLVED, that a copy of this resolution, be transmitted to Alan Englander

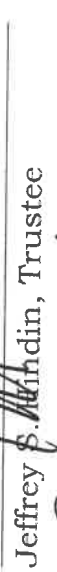
By the order of the Board of Trustees, July 15, 2010

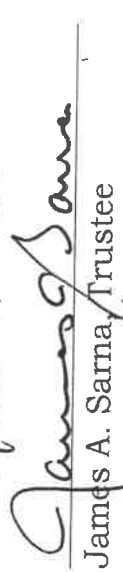



Michael Esmay, Mayor


Vincent S. Morgan, Deputy Mayor and Trustee


Joseph P. Diamond, Trustee


Jeffrey S. Hindin, Trustee


James A. Sarna, Trustee