

REGULAR MEETING

August 19, 2010

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, August 19, 2010 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, Jeffrey Grand

POLICE REPORTS – Officer Hodges discussed recent larcenies at Dish Deli (Route 9W), continued vandalism at the vacant house on Badi Drive, graffiti at the gas station and trespassers on the vacant lot on North Broadway.

Trustee Sarna reiterated the Board's dismay at the fact that the police are still not writing tickets under the Village code and that the number of tickets seemed low.

JUSTICE REPORT – Not Available

MINUTES –Trustee Morgan motioned to accept the **minutes** of the 7/15/10 regular meeting as corrected, seconded by Trustee Hindin and so moved. With no further discussion and on a call for a vote:

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

NOES: None

TREASURER'S REPORT – Not available. Audit of records by independent auditor has begun. Village not over budget.

VOUCHERS – Read and approved for payment.

Volkssport Club of West Point - Trustee Sarna made a motion to approve the request of Volkssport Club of West Point to will conduct its annual 5k and 10k walks in the Village of Upper Nyack on September 12, 2010, as noted in the letter from Margaret Goetz, seconded by Trustee Diamond and so moved. Appropriate liability insurance has been submitted.

APPOINTMENT

Trustee Hindin made a motion that the Board establish the position of MEO II & Maintenance Supervisor and appoint William T. Fay to the position effective August 4, 2010, seconded by Trustee Morgan and so moved.

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

NOES: None

Rockland Farm Alliance Resolution – This item was tabled due to the Board not having

enough information or answers to questions. A representative from the Alliance is invited to come to the next meeting. Village Clerk will notify them.

Peddlers License – The Board discussed updating the current code and that members will review the current Upper Nyack code and the Town of Clarkstown's.

Jeffrey Grand, 208 Lexow Ave., came before the Board regarding deer in Upper Nyack. Mr. Grand had been to a Board meeting several months back and had expected a letter from the Board in response to his appearance. In response to his concern about the deer the following was discussed:

Trustee Morgan noted the deer come from the Nyack Beach State Park (200 acres) Mayor Esmay informed Mr. Grand that members of the Board met with an animal control expert from Albany that stated the only way to eliminate the deer was to kill them. Mayor Esmay also noted that a deer committee had been formed about 5 or 6 years ago and the group was divided on what should be done with the deer.

Mr Grand feels properties are not being cared for in the same way as when he first moved to the area. Homeowners appear to be giving up. Deer destroy all plantings. Also feels he has not noticed this in Westchester.

Trustee Sarna said there is no practical solution to getting rid of deer. Most attempts are very expensive with no long term effect. Birth control has been used but has not been shown to work and at approximately \$1000 per deer is too costly for municipalities. Estimates of cost have been ½ to 1 million dollars.

Mr. Grand would like the Board to hold a public meeting for the public to voice their opinions and give ideas.

Trustee Hindin noted the Board could put it on the agenda for a future meeting possibly October or November.

Mayor Esmay noted that the Board appreciated Mr. Grand's appearance before the Board but good heartedly told Mr. Grand he would not be receiving a letter.

Mr. Grand also has a growing concern about All Terrain Vehicles (ATV) and that there is no regulation against them. Trustee Sarna suggested Mr. Grand could look for a regulation online from another municipality for the Board to look at. Mr. Grand was amenable to that.

8:15 pm Trustee Morgan made a motion that the Board enter into executive session to discuss an ongoing contractual issue with the Nyack Joint Fire District, seconded by Trustee Sarna and so moved.

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

NOES: None

Trustee Morgan motioned and Trustee Sarna seconded to exit executive session and it was so moved.

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

NOES: None

At 8:30 pm Trustee Sarna left the meeting

RCADD- The Board received a request the Rockland Council on Alcoholism and Other Drug Dependency who are hosting a recovery rally at Marydell Faith & Life Center on September 26, 2010, beginning at 12 noon.

After a brief discussion of the banner and parking request the Board asked the Village Clerk to contact the representative from RCADD and inquire about the location, color and size of the banner as well as who will put it up and how it will be secured?

Bike MS Tappan Zee Bike Ride for MS & Bike MS New York City Bike Ride for MS
Trustee Hindin motioned to approve the request and Trustee Diamond seconded and it was so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

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

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk