

REGULAR MEETING
November 18, 2010

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, November 18, 2010 at 7:00 PM.

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

Others identified: PO Hodges (CPD), William Fay-Maintenance
Supervisor, Michael Leifer, Michael Lagana, Kerry Lagana, Joe Pagano

POLICE REPORTS – Read and discussed. PO Hodges reported some larcenies. No incidents were reported on Gate Night or Halloween. Mayor Esmay had contacted CPD Dispatch and requested Car 2216 to come to North Broadway & Castle Heights Ave. on Halloween. Trustee Sarna again inquired why all speeding & traffic tickets were on Route 9W (no parking or speeding on Village Streets)

JUSTICE REPORT – Not Available

MINUTES –Trustee Morgan made a motion to accept the minutes of the **Regular meeting** of 9/16/10, seconded by Trustee Diamond and so approved.

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

NOES: None

ABSTAIN: None

Trustee Morgan made a motion to accept the minutes of the **Regular meeting 10/21/10**, seconded by Trustee Diamond and so approved.

AYES: Mayor Esmay, Trustees Diamond & Morgan

NOES: None

ABSTAIN: Trustees Hindin & Sarna

7:30 PM Public Hearing

Local Law #1 2010 – Peddling, Hawking and Soliciting

The Village Clerk read the public hearing notice.

Mayor Esmay opened the public hearing and noted that the CPD requested the Village to consider modify the current village code because of the number of calls and concern they hear from residents regarding peddlers. No one from the public attended to speak on this matter.

Trustee Hindin made a motion to close the public hearing and to adopt Local Law # 1 of 2010, Chapter 6 Peddling, Hawking & Soliciting of the 1965 Code of General Ordinances, seconded by Trustee Sarna and with no further

discussion it was so moved and approved.

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

NOES: None

TREASURER'S REPORT – Submitted for review.

Treasurer MacCartney noted that the village is 5 months into the 2010-2011 budget and that the Sewer line is overspent. Projects to repair Oak Hill & N. Midland Ave. collapse contributed.

VOUCHERS – Read and approved for payment.

WAIVER-NYS Office of Children and Family Services Eligibility

Trustee Hindin made a motion that the Board approves to waive its State funding in the amount of \$650.00 and to give the funds to the Village of Nyack and to authorize the Mayor to sign said waiver, seconded by Trustee Morgan and so moved.

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

NOES: None

Resolution- Justice Court Audit

Trustee Sarna made a motion to accept the Justice Court Audit as prepared by Marvin Nyman & Company for the fiscal year June 1 2009-May 312, 2010 and further that said Audit and resolution in the minutes be forwarded to the NYS Court Administration, seconded by Trustee Morgan and so moved.

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

NOES: None

Resolution- Justice Court Depository

Trustee Hindin made a motion that the Board of Trustees of the Village of Upper Nyack agrees to add the HSBC bank as a depository for the Upper Nyack Justice Court Funds and that signers on the account will be Treasurer McCartney, Mayor Esmay, Village Justice Harold MacCartney and Acting Justice Catherine H. Friesen, seconded by Trustee Sarna and so moved.

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

NOES: None

Old Stone Meeting Place- Discussion – Trustee Diamond made a motion to allow Laura Applebaum to use the OSMP to hold a cello and guitar recital and to provide a certificate of insurance to the village, seconded by Trustee

Sarna and so moved.

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

NOES: None

Village Attorney Lewis suggested the Board create some uniform policies and procedures for use of the building. Trustees Diamond & Sarna will create a list of rules and regulations and present to the full Board at the December meeting.

William Fay of the Upper Nyack DPW appeared before the Board to discuss and provide information regarding used sweepers to replace the 1986 Elgin Pelican sweeper. Trustee Hindin noted the Elgin is worth about \$2,000 and requires about \$20,000 worth of work to make it usable. Mr. Fay has been researching used vehicles and discussed a few of the vehicles he had found and where these vehicles are located and some of the features. The Board also discussed paving, micro-paving and chip for the roadways.

9:25 PM – Trustee Hindin made a motion that the Board enter into executive session, seconded by Trustee Sarna and so moved.

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

NOES: None

The Board discussed sewer repair at the North Broadway pump station; Lease with the Nyack Joint Fire District; Sale of the villages subdivided lots.

9:45 PM - Trustee Morgan motioned to exit executive session, seconded by Trustee Sarna

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

NOES: None

Trustee Morgan made a motion to adjourn, seconded by Trustee Sarna and so moved. The meeting was adjourned at 9:47 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk