

DRAFT

Minutes of the regular meeting of the Village of Upper Nyack Board of Trustees held at 7:00pm on Thursday, June 16, 2022 held as a hybrid meeting.

PRESENT	Karen Tarapata	Mayor
	Michael Esmay	Deputy Mayor
	Laurie Dodge	Trustee
	Jeffrey Epstein	Trustee
	Kennon Rothchild III (Virtual)	Trustee
ALSO PRESENT	Georgia Grandstaff	Village Clerk
	Christopher Kelly	Clarkstown PD
	Michael Nolan (Virtual)	Code Enforcement
ABSENT -		

Meeting called to order at 7:04 PM

- **Police Report**

Discussion: PO Christopher Kelly gave his report for the county. Two motor vehicle accident reports, one at Nyack High School and one on the corner of Locust and Broadway (one had injuries), 3 fire alarms, 5 burglary alarms, 5 animal incidents, no burglaries, one attempted scam, juveniles riding ATVs at Hook Mountain State Park, one stolen vehicle, 20 medical calls, 3 noise ordinance violations, numerous phone and email scams, shots fired (Nyack) suspects were arrested, one robbery in Nyack.

- **Code Enforcement Officer Report (attached)**
- **Resolution for Approval to low-income senior exemption not reflected on tax bill.**

Discussion: There was a clerical error (error of Village, not resident) with a specific resident's tax exemption form that will be corrected pending the Village's approval.

Motion to approve correction to low-income senior tax exemption not reflected on tax bill by Trustee Epstein, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Resolution for Approval - Accept VUN employee alternate medical coverage.**

Motion to accept two alternate medical coverage for Village Employees made by Trustee Dodge, seconded by Trustee Epstein, and so accepted.

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On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Resolution for Approval - Commit to matching funds for NY State Park Grants**

Motion to commit to matching funds for NY State Park Grant by Trustee Epstein, seconded by Trustee Dodge, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Resolution for Approval - Approval of 308 North Midland Right-of-Way Fencing**

Discussion: Once this is accepted by the board, the homeowners must go to Zoning Board of Appeals then enter into a lease-agreement with the Village of Upper Nyack.

Motion to approve after-the fact fencing allowance located in Village right-of-way pending a variance from the ZBA and a lease agreement made by Trustee Dodge, seconded by Trustee Esmay, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Discussion:** The board reviewed the updated draft for the Williamson Sign for Old Stone Meeting House. Some corrections will be made.

- **7:30 PM Public Hearing on Proposed Local Law #9 of 2022 to clarify the exemption for municipal operations in the Village of Upper Nyack Sound Law, Local Law #6 of 2021.**

Discussion: The Village Clerk read the Notice of a Public Hearing. Village Land Use Attorney Noelle Wolfson went through SEQRA checklist and confirmed that it is an Unlisted Action.

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Motion to adopt a Negative Declaration of Environmental Significance on Environmental Assessment Form made by Trustee Epstein, seconded by Trustee Dodge, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to open the public hearing on Local Law #9 of 2022 made by Trustee Esmay, seconded by Trustee Epstein, and so opened.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to close the public hearing on Local Law #9 of 2022 made by Trustee Epstein, seconded by Trustee Esmay, and so closed.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to adopt Local Law #9 of 2022 amending the Sound Law made by Trustee Dodge, seconded by Trustee Epstein, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Introduce Local Law #11 of 2022, Video Conferencing Law**

Discussion: Village must adopt law concerning future use of video conferencing.

Motion to set the public hearing for Local Law #11 of 2022 for **July 14th, 2022 at 7:15 pm** made by Trustee Esmay, seconded by Trustee Epstein, and so set.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

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ABSTAIN: Trustee Rothchild

- **Approve Minutes from May 19th 2022, and June 9th 2022.**

Motion to approve the meeting minutes from May 19th, 2022 Regular Meeting of the Board of Trustees made by Trustee Epstein, seconded by Trustee Dodge, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to approve the minutes from June 9th, 2022 Special Meeting of the Board of Trustees as amended made by Trustee Dodge, seconded by Trustee Esmay, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, and Dodge

NOES:

ABSTAIN: Trustee Rothchild and Trustee Epstein

- **7:45 PM Public Hearing on Proposed Local Law #10 of 2022 to amend the Village of Upper Nyack Tree Preservation Law, Local Law #4 of 2022.**

Discussion: The Village clerk read the Notice of Public Hearing. Village Land Use Attorney Noelle Wolfson went through SEQRA checklist and confirmed that it is an Unlisted Action of Environmental Impact.

Motion to adopt a Negative Declaration of Environmental Significance on Environmental Assessment Form made by Trustee Epstein, seconded by Trustee Dodge, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to open the public hearing on Local Law #10 of 2022 made by Trustee Epstein, seconded by Trustee Dodge, and so opened.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

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ABSTAIN: Trustee Rothchild

Motion to close the public hearing on Local Law #10 of 2022 made by Trustee Dodge, seconded by Trustee Esmay, and so closed.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Motion to adopt Local Law #10 of 2022 amending the Tree Preservation Law made by Trustee Esmay, seconded by Trustee Dodge, and so adopted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **8:00 PM Continuation of Public Hearing on Local Law #7 of 2022, a Local Law regulating parking on Village streets in the Village of Upper Nyack.**

Discussion: Continued until July 14th, 2022. The changes not included were the distances on Birchwood Avenue.

Public Comment: A village resident asked about the parking on a dead-end street (Cedar Avenue), and requested that it not be taken away.

Motion to continue public hearing on Local Law #7 of 2022 until **July 14th, 2022** made by Trustee Esmay, seconded by Trustee Epstein, and so closed.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Executive Session**

Motion to go into executive session made by Trustee Esmay, seconded by Trustee Epstein, and so moved.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

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Motion to end executive session made by Trustee Esmay, seconded by Trustee Epstein, and so moved.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Resolution for Approval: Hire lawyer to represent Village in Legal Case.**

Motion to engage Noelle C. Wolfson, Esq. to represent Village in Article 78 case made by Trustee Esmay, seconded by Trustee Epstein, and so moved.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

- **Adjournment**

Motion to adjourn the meeting made by Trustee Dodge, seconded by Trustee Epstein, and so moved.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Esmay, Epstein, and Dodge

NOES:

ABSTAIN: Trustee Rothchild

Meeting adjourned at 8:39 pm