

REGULAR MEETING

May 16, 2019

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, May 16, 2019 at 7:00 PM.

Those present: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild
Village Clerk Carol G. Brotherhood, Village Treasurer-Richard D. Fortunato
Village Attorney Robert P. Lewis

Other's identified: PO Kennedy, CPD; Donna Nye, Deborah Bell, Ann Morgan, Judy Ryan, Dave McWilliams, Dan Wolff, Stephanie Starin, Olive Crone, Beverly Colgan, Peggy Kurtz, Robert Picardi, Alan Bigelow, Bob Stein, Regina Kelly, Dave Zornow

POLICE REPORT – Officer Kennedy appeared to present the monthly report.

Discussion: Officer Kennedy informed the Board that there were 192 calls for service, 6 motor vehicles accidents, 13 alarms, 33 medical calls, 62 area checks, 13 school checks, 2 parking tickets and 7 uniform traffic tickets.

SCAMS: Continue to be aware of the following scams: painting, paving, IRS (less so) Utility workers.

There were 74 overdoses in the county. 15 in Clarkstown with 4 ending in deaths.

The CPD will provide assistance and barricades for the events on May 23, 2019 (Summit School run) and June 8, 2019 (Goosetown Bazaar –UNES)

The Village and CPD will coordinate on the locking gate at the HHCP that will be installed. An electronic gate was cost prohibitive.

TREASURER'S REPORT – Treasurer Fortunato submitted report for review.

Treasurer Fortunato requested a resolution of the Board to allow him to pay the bond for the Preserve of \$55,000 principal and \$90,000 interest due 6/15/19.

Trustee Esmay made a motion that the Board approve the payment for the bond, as the Treasurer recommends, seconded by Trustee Rothchild and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Discussion: CHIPS funding and Tilcon paving

Mayor Tarapata noted that Orangetown Sewer is in process of checking on sump pumps and house drains that may be going into the sewer and not the storm sewer.

VOUCHERS – Read and approved for payment.

PROCLAMATION – Donna L. Nye, former Trustee

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, May 16, 2019, at 7:00 PM, the following were present: Mayor Karen A. Tarapata, Trustee & Deputy Mayor Michael Esmay, Trustee Joseph P. Diamond, Trustee Laurie Dodge and Trustee Kennon Rothchild III it was proclaimed that;

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

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

WHEREAS, Donna L. Nye has embodied the ideals of community service for many years, and

WHEREAS, Donna is a natural leader and has involved herself in community activities designed to advance human dignity; and

WHEREAS, Donna became involved through participation with the deer committee, and

WHEREAS, Donna worked for the Girl Scouts of the USA and three Girl Scout Councils for 30 years combined as an Environmental Educator/Program and Membership Consultant,

WHEREAS, Donna is a resident of Rockland County and has lived in Upper Nyack for twenty three years; and

WHEREAS, Donna lives in Upper Nyack with partner Deborah Bell; and

WHEREAS, Donna was elected as Trustee in 2015 and re-elected in 2017 and served two, two year terms; and

WHEREAS, during her terms as Trustee, Donna oversaw the operations and employees of the Department of Public Works; and

WHEREAS, during her terms as Trustee, Donna worked with fellow Trustee Kenneth Rothchild to create an updated employee handbook that complied with all current human resource laws; and

WHEREAS, Donna remains involved in public service by assisting with senior tax preparations and participating in Nyack with Aging In Place, and

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 Donna L. Nye on the occasion of her outstanding community service and,

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to Donna L. Nye

By the order of the Board of Trustees, May 16, 2019

Karen A. Tarapata, Mayor, Michael Esmay, Deputy Mayor / Trustee, Joseph P. Diamond, Trustee, Laurie Dodge, Trustee, Kennon Rothchild III, Trustee

MINUTES – Trustee Dodge motioned that the Board accept the minutes of the Regular meeting of April 18, 2019, seconded by Trustee Rothchild and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Trustee Rothchild motioned that the Board accept the minutes of the Special meeting of May 9, 2019, seconded by Trustee Dodge and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

DISCUSSION: The Board discussed trees that may have been removed from Village right of way. A permit was on hold waiting for the Board to determine if one of the village trees would need to be removed. In the meantime, other trees were removed. Arborist will report back to the Board.

7:30 PM Public Hearing

Community Choice Aggregation (CCA) Enabling Legislation

Local Law # 1 of 2019

The Village Clerk read the public hearing notice

Trustee Esmay made a motion to open the public hearing, seconded by Trustee Diamond and so moved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Discussion and Comment by the public:

Peggy Kurtz spoke to those assembled and noted that the process can take 4-9 months as other municipalities pass legislation and the communities are bundled together. All residents would be notified and any new residents would review the same letter, including information on opting out. Real estate agents should be made aware that the program exists.

South Nyack passed legislation and Nyack was holding a public hearing the next week.

Ms. Kurtz noted her committee had looked at several energy companies. Joule, Good Energy (National) and Mega Energy (not in the Hudson Valley yet)

They based all their reviews on the following criteria: 1) cost 2) Outreach and whether they were working locally 3) Did they promote renewable energy (direct buying from renewable sources) 4) hands on? 5) Any negative reviews about the company

The idea is to not cut ties with current utilities but to have the choice of renewable energy

Bob Stein told the Board of Trustees he was grateful for the work of the committee Dan Wolff was grateful for the Boards willingness to offer this to the residents Dan Garcia, running for Town Council (Ward 2) came to offer the Board his full support.

Alan Bigelow stated he was happy to meet like-minded people. Mr. Bigelow recently moved from Hastings-on-Hudson, where they had recently adopted the CCA legislation. He was very much in favor of it.

Trustee Rothchild moved to close the public hearing, seconded by Trustee Dodge and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Trustee Dodge made a motion that the Board adopt Local Law #1 of 2019 to establish a community choice aggregation program for the Village of Upper Nyack, as presented, seconded by Trustee Esmay and it was so moved.

On a call for a vote:

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

ROCKLAND BICYCLE CLUB- Dave Zornow, working with Michael Hays (who was unable to attend) appeared before the Board, requesting to hold an event for the Rockland Bicycle Club called the "Slow Roll", on Sunday, June 2, 2019 beginning at 2 pm.

The idea behind the event is to get riders out and to increase comfort level and safety for riders on the roadway.

The club will provide COI to the Village. Each rider must sign a waiver with the club. The event will be coordinated with CPD.

Trustee Rothchild motioned that the Board permit the Rockland Bicycle Club to ride through Upper Nyack from the UNES to Nyack Beach State Park and back to the Hopper House in Nyack, seconded by Trustee Dodge and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

WORKERS COMP FUNDING CONTRIBUTION

Trustee Rothchild made a motion to authorize the mayor to sign the Comp Alliance participation agreement as presented, seconded by Trustee Dodge and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

EXECUTIVE SESSION

8:06 pm Trustee Esmay made a motion that the Board enter into executive session, seconded by Trustee Dodge and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Discussion took place regarding payments in lieu of medical benefits; pending legal matters

8:40 pm Trustee Esmay made a motion that the Board exit executive session, seconded by Trustee Rothchild and on a call for a vote:

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

After a discussion in executive session, Trustee Diamond made a motion that the Village adopt an opt out policy for health insurance and the employee, upon showing proof of coverage, would be paid \$300 per month in lieu of the health insurance benefit, seconded by Trustee Rothchild and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Regulations for River Hook Preserve (formerly called HHCP)

After a brief discussion, Trustee Rothchild made a motion that the Board set a public hearing, to be held at the next regular meeting on June 20, 2019 at 7:30 PM, on a local law to set regulations for the use of the preserve property, seconded by Trustee Diamond and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Motion to adjourn by Trustee Esmay and seconded by Trustee Diamond and so moved. The meeting was adjourned at 9:00 PM

AYES: Mayor Tarapata, Trustees Diamond, Dodge, Esmay & Rothchild

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk