

REGULAR MEETING
September 20, 2018

The Regular monthly meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, September 20, 2018 at 7:00 PM.

Those present: Mayor Tarapata, Trustees Diamond, Esmay, Nye & Rothschild
Village Clerk Carol G. Brotherhood, Village Attorney Robert P. Lewis
Treasurer Richard Fortunato

Others identified: Capt. Jeffrey Wanamaker, PO Valerio-CPD; Dorothy Brady

POLICE REPORTS – Capt. Jeffrey Wanamaker appeared with PO Paul Valerio
Captain Wanamaker noted that Sgt. McCormick, Emergency Management Officer
for CPD, will appear at the Village Board meeting on 10/18/18 for a presentation
to the Board and the public.

PO Valerio noted the following:

September 21, 2018 – Dedication of dog park in honor of Meaghan Levy and her
dog Rex. CPD canine officers will attend with their dogs, Taz, Remy & Brody.

September 29, 2018 VIN Etching will take place from 9-12 noon at CPD, 20
Maple Ave, back parking lot.

October 3, 2018 – National Coffee with a Cop Day - Starbucks

October 6th, 2018-Coffee with a Cop at Pie Lady & Son, Upper Nyack

Majority of calls (29) were emergency: 10 burglar & 10 fire; 22 parking tickets and
12 moving violations

The Department has had a high success using Narcan. Of the 74 od's, 66 survived.
Those who didn't had fentanyl as well as heroin in their systems.

There have been several larcenies of tires and rims. Police recommend parking in
the driveway and making sure car is locked.

In addition there was a report of criminal mischief; a fire on Wanamaker Lane & 1
intoxicated male on Cedar Ave,

TREASURER'S REPORT- Treasurer submitted report for review.

Treasurer Fortunato noted the Year End Report and AUD had been filed with the
State (5/31/18) which ties in to the year-end financials.

Discussion: paving on Lexow; current financials

Delinquent village taxes: 21 remain unpaid. Final Notices will go out in the
beginning of October and after October 31st the list will go to the County for
payment and re-levy.

CHIPS application for paving has been sent and check should be sent to village
Dec. 1.

VOUCHERS - Read and approved for payment.

Review of Bids for paving of Lexow Avenue

Bid # PV-02-2018 / 2018 Paving Program – Pavement Resurfacing

The Board discussed the two bids received for paving and the recommendation of the Village Engineer.

Trustee Esmay made a motion to accept the bid of Tilcon New York Inc. for \$121,860.50, (Bid opening record and recommendation attached), seconded by Trustee Nye and so moved.

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

NOES: None

Trustee Diamond motioned that the Board allow the Treasurer to move funds from the Capital projects reserve account to Line 5110.45 Contractor Road Repair, in order to cover the cost of the paving, seconded by Trustee Rothchild and so moved.

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

NOES: None

2018 MS4-SPDES REPORT- Submitted for review

Presentation of the MS4 Stormwater Management Program

Annual Report of 2018

After having reviewed the MS4 Report, Trustee Esmay made a motion to accept the MS4-SPDES report, as recommended by the Village Engineer, and noted that the Mayor has signed and certified, and submitted the report to the NYS DEC, seconded by Trustee Rothchild and it was so moved.

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

NOES: None

7:30 PM Public Hearing

Amending Ordinance 5.6, sections f. & g.

Mayor Tarapata stated the current General Code has section that are vague and unenforceable and the Board is looking to correct that.

The Village Clerk read the notice of public hearing.

Mayor Tarapata opened the public hearing.

With no discussion offered from the public, Trustee Esmay motioned to close the public hearing, seconded by Trustee Nye and so moved.

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

NOES: None

Trustee Rothchild made a motion that the Board adopt the amendments to Ordinance 5.6 section f. & g. as noted, and that the amended law be sent to the NYS Dept. of State for filing, and it was seconded by Trustee Nye and so moved.

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

NOES: None

Request for Road Closure: UNES PTA requested to close N. Broadway, from Castle Heights Ave to Birchwood Ave, on Friday, October 19, 2018 from 4:00 pm until 9:00 pm for the annual "Trunk or Treat/Fall Fest"

Trustee Esmay made a motion to approve the closure, and that they provide a certificate of insurance and notify the affected property owners along N Broadway, seconded by Trustee Nye and it was so moved. With no further discussion it was approved.

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

NOES: None

PARKING ON FRONT STREET-

Dorothy Brady, 307 Front St., a 35 year resident, appeared before the Board. Ms. Brady had come before the Board before and explained that they have a shared driveway and had requested an area to park on the street to alleviate an issue with being ticketed. The Village Board had allowed for a section of overnight parking which is often now filled and they have no place to park.

Mayor Tarapata noted that this is an issue she would like to see worked out through community policing to approach the neighbors to work a solution.

At this time the Board will not do permits or hang tags for residents.

Ms. Brady told the Board she appreciates all the village Board has done to help the residents on Front Street.

MINUTES – Trustee Rothchild motioned that the Board approve the minutes of the Regular meeting of 08/16/18, as amended, seconded by Trustee Diamond and so moved.

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

NOES: None

EXECUTIVE SESSION:

8:04 PM The Board voted to move to executive session

Motion: Trustee Nye

Second: Trustee Esmay

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

NOES: None

Discussed: Personnel; Code Enforcement Officer retainer; liability issues

8:53 PM The Board voted to exit executive session

Motion: Trustee Nye

Second: Trustee Rothchild

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

NOES: None

Trustee Nye made a motion to adjourn, seconded by Trustee Rothchild and so moved. The meeting was adjourned at 9:12 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood

DENNIS M. LETSON, P.E. and ASSOCIATES
Consulting Engineer

M E M O R A N D U M

DATE: September 20, 2018
TO: Board of Trustees, Village of Upper Nyack
COPY: Robert Lewis, Esq., Village Attorney
FROM: Dennis M. Letson, PE
SUBJECT: Bid PV-02-2018 – 2018 Paving Program

I have reviewed the bids received from Consorti Brothers Paving and Tilcon NY for the referenced project. Tilcon NY submitted the apparent low bid of \$106,110.00. Further, Consorti failed to include the Statement of Technical Organization required by Exhibit C of the bid proposal.

Just prior to the bid opening, I realized that the quantity shown for the pavement milling item had not been changed to the correct estimated quantity, which is 4047 sy, not the 2194 sy shown on the original sheet of estimated quantities. An addendum would have been issued to correct this, but the scheduled bid date precluded this being issued.

I have further checked the bid results applying the corrected milling quantity. Had the addendum been issued, the resulting prices from the two bidders become:

Tilcon NY \$106,110.00+\$15,750.50 Total \$121,860.50

Consorti \$107,752.00+\$14,824.00 Total \$122,576.00

and Tilcon remains the low bidder.

Based on the review of bids, I recommend the bid be awarded to Tilcon NY Inc in the amount of \$121,860.50.

Bid Opening
September 17, 2018
11:00 AM
2018 Paving Program – Bid# PV – 02 - 2018
Village of Upper Nyack
Upper Nyack, NY

Those present: Carol G. Brotherhood-Village Clerk, Malcolm Simpson – Office Temp.

Others identified: Matthew Consorti – Consorti Bros. Paving;
Cavelle Hacker – Tilcon New York Inc.

The Village Clerk read the public Notice to Bidders.
Two (2) sealed bid(s) were (was) received, opened and read aloud as follows:

<u>Bidders</u>	<u>Bids</u>
Consorti Bros. Paving 208 South Plank Rd. Newburgh, NY 12550	\$107,752.00
Tilcon New York Inc. 9 Entin Road Parsippany, NJ 07054	\$106,110.00

Bidding was closed at 11:05 AM

Respectfully submitted,

Carol G. Brotherhood
Village Clerk