

REGULAR MEETING  
January 19, 2017

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the Village Hall on Thursday, January 19, 2017 at 7:00 PM.

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

**Others identified:** Lt. Morgan-CPD; Kennon Rothchild III, Hilarie Blumenthal

Deputy Mayor Esmay presided over the meeting because Mayor Hindin resigned as Mayor on 1/13/17 for personal reasons.

POLICE REPORTS – Lt. Morgan appeared and presented the CPD report to the Board.

There were 85 incidents; 36 were elevated to cases (majority were medical emergencies)

Overnight parking: There has been more aggressive enforcement

Summit School: 3 incidents were reported of emotionally disturbed persons.

Students transported to Nyack Hospital without incident.

PO Valerio has been following up on the resident who has been parking at the top of Bliss Lane at Hilltop Lane, blocking Bliss Lane. Deed states ingress & egress be allowed from Hilltop and from N. Midland. Cannot block the lane.

Other incidents reported: 2 loose dogs near Jewett Rd.; debit card fraud from online purchase (Police following up); call of shots fired on Tompkins Ave (unfounded); possible coyote sighting

The Snowflake Run and Resolution went on without incident.

TREASURER'S REPORT – Treasurer Fortunato submitted the report for review. 1099's were mailed. Bond payment was made as per instructions of the Board. Discussion: DPW safety clothing allotment \$500 each year at Rugged Outfitters. Deputy Mayor Esmay noted that he had approved the purchase of plow blades at a discounted cost.

VOUCHERS – Read and approved for payment.

MINUTES – Regular Meeting, December 15, 2016

Trustee Tarapata made a motion to approve the minutes of the **12/15/2016 Regular meeting**, seconded by Trustee Nye and so approved.

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

NOES: None

VILLAGE ELECTION: The following motions were made and voted on as follows:

No Registration Day – Trustee Tarapata made a motion that there will be no separate registration day in 2017, Election Law §15-118(3), seconded by Trustee Nye and so moved.

Polling Place & Hours - Trustee Tarapata made a motion that the Village of Upper Nyack, Village Election, will be held in the Village Hall on Tuesday, March 21, 2017 from 12 Noon until 9 PM as per Election Law §15-104(3), seconded by Trustee Nye and so moved.

Inspectors of Election – Trustee Tarapata made a motion to appoint the following Inspectors of Election for the March 21, 2017 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour: Dorina Maragliano, Carol Curto, Carla Jo Wagenstein Vega & Rafael Vega, seconded by Trustee Nye and so approved.

Dorina Maragliano will serve as the Chairperson of the Inspectors.

On a call for a vote on the motion:

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

NOES: None

RESIGNATION – After a brief discussion and noting that the Board of Trustees received a letter of resignation from Mayor Hindin the Board took the following action:

Trustee Diamond made a motion that the Board regrettably accept the resignation of Mayor Jeffrey Hindin and thank him for his service as Mayor for 1 term and Trustee for 3 terms, seconded by Trustee Nye and so moved.

On a call for a vote:

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

NOES: None

APPOINTMENTS- Trustee Nye made a motion that the Board appoint Trustee Tarapata as Mayor, to fill the unexpired term of Mayor Hindin, seconded by Trustee Diamond and so moved.

AYES: Deputy Mayor Esmay, Trustees Diamond, Nye

NOES: None

7:35 PM Mayor Tarapata, having taken her oath of office, presided over the remainder of the Board of Trustees meeting.

For her first action as Mayor, Mayor Tarapata appointed Kennon Rothchild III as

Trustee, to fill the unexpired term of Trustee Tarapata to April 2018.

Trustee Diamond made a motion to ratify the appointment, seconded by Trustee Nye and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

OATH OF OFFICE – Kennon Rothchild III took the oath of office to serve as Trustee and to fill the unexpired term of Trustee Tarapata to April of 2018.

Proposed Zone Text Amendment – Trustee Esmay made a motion to set a public hearing for February 16, 2017 at 7:30 pm for the proposed zone text amendment to allow for oversized lots in R-1 and R-2 zoning districts, allowing multiple residential structures to be constructed on oversized lots subject to certain conditions, seconded by Trustee Rothchild and so moved. On a call for a vote:

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

NOES: None

Executive Session

**7:50 PM** - Trustee Nye motioned for the Board to enter into executive session, seconded by Trustee Diamond, and it was so moved. On a call for a vote:

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

NOES: None

Discussion: Article 78 against the Zoning Board of Appeals for a recent decision

**8:43 PM** – Trustee Nye made a motion that the Board exit executive session, seconded by Trustee Rothchild and with no further discussion and a call for a vote:

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

NOES: None

Mayor Tarapata appointed Trustee Esmay as Deputy Mayor.

Trustee Diamond motioned to ratify the appointment, seconded by Trustee Nye and so moved.

AYES: Trustees Diamond, Nye & Rothchild

NOES: None    ABSTAIN: Trustee Esmay

After a brief discussion it was decided that Grievance will be held on Thursday, February 23, 2017 from 4 pm to 8 pm.

Trustee Nye made a motion to adjourn, seconded by Trustee Esmay and so moved. The meeting was adjourned at 9:03 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood,  
Village Clerk