

REGULAR MEETING

August 17, 2017

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, August 17, 2017 at 7:00 PM.

Those present: Mayor Tarapata, Trustees Diamond, Esmay, Nye, Rothchild (arrived late), Treasurer Richard D. Fortunato, Village Attorney Robert P. Lewis , Deputy Village Clerk Donna Albert

Absent: Village Clerk Carol G. Brotherhood

Others identified: Lt. Morgan CPD; Sr. Veronica Mendez (Institute of Christian Doctrine); Jeffrey Grand; Michael Sperling

POLICE REPORTS – Lt. Morgan appeared. Discussed: There continues to be scams being perpetrated. There was a fire call to 525 N. Bway; a suspicious incident at 415 Cedar Ave with report of someone on the property looking into windows; a bicycle was stolen off a front porch.

Summit School: Call re: students who left the premises and an assault charge.

REQUEST TO APPEAR: Michael Sperling 317 North Broadway RE: speeding on N Broadway

Mr. Sperling addressed the Board with the ongoing issue of speeding and concerned with the volume of traffic, pedestrians and bicycles going along N Broadway. Mr. Sperling is concerned that there is not enough enforcement and feels the Village has not applied a strategy to effectively combat speeding.

Lt. Morgan noted that a traffic study was recently done August 3- August 8 2017, on North Broadway, in both directions, near Mr. Sperling's house. The study found that the average speed of most vehicles was 27 mph. But there were also cars traveling in excess of 50 and some in excess of 65. Lt. Morgan noted that speeding is a widespread issue and new cars operate so smoothly, drivers don't sense the speed and drivers are more distracted. Lt Morgan and the Board discussed traffic calming such as additional speed signs, speed message signs, decoy cars, rumble strips and cameras. Lt Morgan noted that cameras are seen as a revenue source and not for safety. You can ticket registered drivers captured on camera.

RADCLIFF DRIVE PARKING ISSUE:

David Dixon, of 215 Radcliff Drive, had requested to appear but was unable to come. The Board discussed the parking with Lt. Morgan who noted that parking is not prohibited in that location as it is an entrance to the Long Path. Lt. Morgan will direct officers to patrol on Sunday August 20, 2017 and report their findings.

Jeffrey Grand, a resident who was attending the meeting stated that he sees vehicles parking on Larchdale to go to the park. The Mayor noted that is an enforcement issue.

TREASURER'S REPORT

The Board discussed cash payments in lieu of medical benefits. No action at this time.

Treasurer Fortunato submitted the reports, year end and year to date. Discussion took place RE: CHIPS (not collected yet) film permit revenue, the truck grant for \$125,000 which was being mailed the next day, and the cost of road salt. Treasurer Fortunato will get the cost of what the Village has spent on road salt for the last two winters for better accuracy of the number.

VOUCHERS – Read and approved for payment

MARYDELL MONUMENT-Request to remain in Village right-of-way

Sr. Veronica appeared before the Board and indicated the willingness of the sisters to move the monument should there be any future road widening.

Discussion: Although there is a neighbor complaint the Board still has the right to control what is allowed in the right-of-way and there are many things like pipes, structures, etc. and if the Board determines it is not a danger to traffic or pedestrians it could remain. There was no further discussion

Trustee Diamond made a motion that the Board instruct the Village Attorney to prepare the license agreement and once prepared that the Mayor sign it and the agreement will be filed in the Rockland County Clerk's office, seconded by Trustee Nye and so moved.

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

NOES: None

2017 PAVING PROGRAM- Pavement Resurfacing Bid# PV-01A-2017

Bid Opening

August 15, 2017, 11:00 AM

Bid # PV-01A-2017

2017 Paving Program-Pavement Resurfacing

Village of Upper Nyack, Upper Nyack, NY

Those present: Donna Albert-Deputy Village Clerk; Bryan Westervelt-DPW

Others identified: Paul Taphorn, Ecco III Enterprises Inc.; Alex Burdi, Intercounty Paving Associates

The Deputy Village Clerk read the public Notice to Bidders.

Three (3) sealed bid(s) was (were) received, opened and read aloud as follows:

<u>Bidder</u>	<u>Total</u>
Ecco III Enterprises, Inc. 201 Saw Mill River Road Yonkers, NY 10701	\$133,214.00
Tilcon New York Inc. 9 Entin Road Parsippany, NJ 07054	\$111,604.50
Intercounty Paving Associates, LLC. 859 Willow Grove St. Hackettstown, NJ 07840	\$96,746.00

Bidding was closed at 11:04 AM

Respectfully submitted, Donna Albert, Deputy Village Clerk

After a brief discussion with the Village Engineer, Dennis Letson, who reviewed the bid for the Board and noted that there was an addition mistake, wherein a listed cost was not included in Bidder's final tally. The actual bid amount for the low bidder, Intercounty Paving Associated LLC, was \$109,046.00, which still makes them the low bidder. Trustee Nye made a motion that the Board accept the bid of \$109,046.00, from Intercounty Paving Associates, LLC, seconded by Trustee Rothchild and so moved. On a call for a vote:

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

NOES: None

The Treasurer noted he will apply for the CHIPS money.

Trustee Esmay thought the Board should present a proclamation to Win Perry for overseeing and planting the replacement trees on North Broadway.

Jeffrey Grand, Upper Lexow Ave., came to the Board to inform the Village that they would be paving their road and put in a catch basin. Mr. Grand was trying to understand ownership of the property at the end. Village Attorney Lewis told Mr. Grand it may be necessary for the property owners on Upper Lexow to hire a surveyor to prepare a survey and do a title search to determine ownership. The Village does not own that property.

Mr. Grand also asked about North Broadway with sections of parking and no parking. Village Attorney Lewis stated that it is set out in the General Ordinance and there is no overnight parking in the Village.

MINUTES – Trustee Esmay motioned that the Board approve the minutes of the Regular meeting of July 20, 2017, as amended, seconded by Trustee Rothchild and so moved.

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

NOES: None

Village of Nyack's Halloween 5K Costume Run, Saturday, October 21, 2017

Trustee Nye motioned to approve the request for the Village of Nyack, recreation department's Halloween 5K Costume Run, October 21, 2017, provided they submit proper liability insurance and provide for traffic control, seconded by Trustee Diamond and it was so moved. The Clerk will notify appropriate agencies of the event.

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

NOES: None

Trustee Esmay made a motion to adjourn, seconded by Trustee Nye and so moved. The meeting was adjourned at 9:25 pm.

Respectfully submitted,

Minutes taken by Donna Albert, Deputy-Village Clerk

Typed by Carol G. Brotherhood-Village Clerk