

## REGULAR MEETING

December 14, 2017

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, December 14, 2017 at 7:00 PM.

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

**Absent:** Trustee Rothchild

**Others identified:** Lt. Morgan-CPD, Irene Nathanson, Deborah Bell

POLICE REPORTS – Lt. Morgan presented the report. Since mid-November there has been only one Community Police Officer in Upper Nyack, the hope is to replace by January 1, 2018.

The following were noted by Lt Morgan or discussed with the Board:

Summit School: a series of EDP calls, students taken to Nyack Hosp. Under investigation: someone delivering alcohol and pills to students and a sexting incident; Fraud- a car for sale on eBay, purchaser sent check with overage and asked for money back. Original check bounced. ; Forged checks; Citgo Mini-Mart sold alcohol to minors, owner or clerk must enter a Diversion Program to come back in compliance (have complied); Hit & Run of parked car on Castle Heights Ave. Driver found; Theft: N. Bway -stolen items taken by someone known to victim & wallet taken at Alliance Theological Seminary; Foss Drive-vandalism to mailbox;

1:30 pm Park Police investigation- Woman found in jeep at the turn around died from suicide.

Castle Heights Avenue: Irene Nathanson, 124 Castle Heights appeared before the board to make a complaint of increased traffic and speeding on the street. Lt Morgan noted it is difficult to control because most drivers speed. With enforcement Officers are looking at vehicles that are increasing the risk of an accident. Most accidents occur on major highways and at intersections. Most often caused by distracted driving and not speed. Most accidents that have occurred on Castle Heights have not been speed related. Volume of vehicles is more difficult to control because it is a public road for use by the public. Signage may help especially at the dip in the hill as a car is heading east. Traffic calming already with cars parked on both sides of the street and stop signs at each end of the street. CPD will put speed sign trailer on the street and the area cars will do random checks

The Board of Trustees will research traffic calming for Castle Heights Ave. and research the possibility of a pole mounted speed monitor to be placed on the street permanently. Will place on the agenda for January 18, 2018 to review.

TREASURER'S REPORT – Treasurer Fortunato presented the monthly treasurer's report and requested the Board approve a resolution for the payment of the Sewer Improvement Bond due on January 15, 2018.

Trustee Diamond made a motion that the Board approve the payment by the Treasurer for the sewer improvement bond, with \$110,000 going to principal and \$26,659.38 going to interest, seconded by Trustee Nye and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

Trustee Esmay noted that he and Trustee Diamond met with mechanical contractor re: the air quality and noise at the OSMH to increase the fresh air in the older building and a larger duct to decrease the noise while in operation.

Trustee Esmay made a motion that the Board accept the proposal from Design Air for \$4,873.00 to install a climate energy recovery system, an alternate to air distribution, for health, safety and welfare for the residents and others using the building, seconded by Trustee Diamond.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

VOUCHERS Read and approved for payment

**7:30 PM Public Hearing** – Amending **Ordinance 2.10 C. Stop Intersections** by adding Section 13. On Highmount Ave. going east at its intersection with Front St. Mayor Tarapata asked for a motion to open the public hearing.

Trustee Nye motioned to open the public hearing, seconded by Trustee diamond and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

The Clerk read the public hearing notice.

DISCUSSION: Deborah Bell, a resident on Front Street requested the Board install the stop sign explained that there is limited visibility at that intersection and she has witness drivers appearing confused as to who should stop and some not stopping at all. The Board was in agreement that this is a safety issue.

Trustee Esmay motioned to close the public hearing, seconded by Trustee Diamond and so moved'

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

Trustee Nye made a motion that the Board approve Local Law # 3 of 2017, amending Ordinance 2.10, section C, #13, seconded by Diamond and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

The law will take effect upon filing with the State. Once in effect, sign can be installed.

#### VILLAGE ELECTION:

No Registration Day – Trustee Esmay made a motion that there will be no separate registration day in 2018, Election Law §15-118(3), seconded by Trustee Nye and so moved.

Polling Place & Hours - Trustee Nye made a motion that the Village of Upper Nyack, Village Election, will be held in the Village Hall on Tuesday, March 20, 2018 from 12 Noon until 9 PM as per Election Law §15-104(3), seconded by Trustee Esmay and so moved.

Inspectors of Election – Trustee Diamond made a motion to appoint the following Inspectors of Election for the March 20, 2018 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour : Dorina Maragliano, Toby Hindin, Rafael A. Vega and Carla Jo Wagenstein-Vega seconded by Trustee Esmay and so approved.

Dorina Maragliano will serve as the Chairperson of the Inspectors.

On a call for a vote on the motions:

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

#### The Village of Upper Nyack received the following request:

GRAN FONDO-Saturday, May 20, 2018 (Cycling Event)

Discussion: Lt Morgan and the Board discussed the steady stream of bikes that will come through the village (7:45 am until 9:45 am); better communication to the public by Gran Fondo; CPD will do reverse 911 calls.

Trustee Nye motioned to permit the Gran Fondo cycling tour, contingent on the proper insurance documents, seconded by Trustee Diamond and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

RESOLUTION to extend paving contract with Intercounty Paving to spring 2018  
The DPW notified the Mayor the paving contractor has been unable to schedule the paving due to weather and that it was getting too late in the season to pave. The Board discussed extending the contract time with no monetary penalties for the contractor.

Trustee Diamond made a motion that the Village of Upper Nyack agrees to extend the time for the Intercounty Paving to commence work under the contract between the parties, dated September 14, 2017, until the company providing the asphalt opens in the spring of 2018 when the weather will allow the work to be done, seconded by Trustee Nye and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

MINUTES - Trustee Esmay made a motion to accept, with minor corrections, the minutes of the **regular meeting 11/16/2017**, seconded by Trustee Nye and it was so approved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

Holiday Get Together: January 6, 2018 Mayor Tarapata will send out an evite

Request by United Methodist for the Board to adopt their resolution and to agree to place a plaque on the OSMH and to allow their congregation to visit the OSMH.

Mayor will review and write letter

CODE ENFORCEMENT OFFICER: The position is under consideration by the Board

SAFETY COMMITTEE: No incidents or issues to report at this time

NYS DEC Air Quality Permit for the Van Houten Shipyard

There is a public comment period. The Board discussed whether a letter should be sent and decided the Mayor would send a letter.

RESOLUTION Streets within Upper Nyack boundaries:

The Village Board of Trustees of the Village of Upper Nyack, by resolution, do hereby accept the following roads as public roads with the responsibility for maintenance and repair and all legal responsibility for these roads:

Riverton Drive (Route 9W to Route 9W), Camboan Road (Old Mtn. to West Pond Rd.), Oak Street (Maple to Tompkins) as motioned by Trustee Esmay and seconded by Trustee Nye and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

Trustee Nye made a motion to adjourn, seconded by Trustee Diamond and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Esmay & Nye

NOES: None

ABSENT: Trustee Rothchild

The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk