

## REGULAR MEETING

January 21, 2016

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the Village Hall on Thursday, January 21, 2016 at 7:00 PM.

**Those present:** Mayor Hindin, Trustees Nye & Tarapata

Village Clerk Carol G. Brotherhood, Village Attorney Robert P. Lewis

**Others identified:** Lt Morgan, PO Shannon, PO Reekie – CPD, Debra Bell, Vincent Reid, Theodore Ryder

POLICE REPORTS – Lt. Morgan appeared. The Rockland county Kennel Club came to the CPD to offer to purchase a new dog for the Canine Unit of the Clarkstown Police Dept. The dog came from Castle Canine in Pennsylvania. The dog is a 15 month old Dutch Shepard. The dog was named Remy, in honor and memory of Welles Remy Crowther, a former resident of Upper Nyack who died at the World Trade Center in 2001.

The dog is trained in narcotics searches and search and rescue operations. The service life is about 8 years. The dog is trained by PO Robert Reekie who takes him to his home each night. They spent several weeks bonding prior to the training.

Before bringing Remy in to meet the Board, PO Shannon presented his report to the Board. Discussion: Filming on N. Midland and at Marydell for the Path is concluding. The series has been renewed and before the start of filming again the CPD will meet with the Production Company to go over some protocols for filming on the streets and what will be acceptable.

There were some summonses issued based on a complaint to vehicles left parked on Front Street.

PO Reekie presented Remy to the Board. He noted that the dog is very friendly but when working, cannot be approached in the same way. The dog lives with the Officer and his family but does not go anywhere without the Officer present. When the dog is retired, they usually go live with the handler. The Town offers the dog once a hold harmless has been signed.

The Board thanked Lt. Morgan and Officer Reekie for bringing the dog to the meeting.

### PARADE Nyack Joint Fire District

Chief Vincent Reid appeared before the Board to discuss the request by the district to hold the Biennial Chief's Inspection Parade, which lines up and starts in the Village of Upper Nyack. The Board explained that in the past, some residents had been unable to return to their homes during the parade. Intermittent closures okay but not hours.

The Fire Dept. agreed to work out all parking and traffic flow with the Clarkstown Police. All porta-sans and trash will be picked up right after the parade.

A sample letter was presented to the Board that the Fire Dept. would normally send out to all residents. Rules of conduct are given to all fire companies participating.

Trustee Tarapata made a motion that the concerns of the Board were addressed and the Fire Dept. be allowed to conduct the Biennial Chief's Inspection Parade on Saturday, October 1, 2016, beginning at 2 pm, seconded by Trustee Nye and so moved.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

Electrical Inspector- The Village received a request by Emmanouil Zervakis, New York Electrical Inspectors Inc. d/b/a Inspections on Time to act as an approved agency for 3<sup>rd</sup> party electrical inspections for electrical work conducted in the Village of Upper Nyack. Mr. Emmanouil appeared before the Board. He noted that he is licensed to work in Rockland County. The Board and Village Attorney informed Mr. Emmanouil that the Village Board granted the power of approvals for 3<sup>rd</sup> party electrical inspectors to the Building Inspector.

TREASURER'S REPORT – Budget vs actual report submitted for review.

VOUCHERS – Read and approved for payment.

Inspectors of Election – Trustee Tarapata made a motion to appoint the following Inspectors of Election for the March 15, 2016 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour : Dorina Maragliano, Carol Curto, Rafael A. Vega and Carla Jo Wagenstein-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: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

SAFETY COMMITTEE – Trustee Nye noted that we are required to hold safety meetings and that the Board serves as the safety committee. It was reported that there are no safety issues at this time. There are no workers compensation claims by any current employees.

7:30 PM – PUBLIC HEARING –

Local Law # 1 of 2016 Amending Local Law #1 of 1976 entitled "Planning Board Site Plan Approval

The Village Clerk read the public hearing legal notice.

Mayor Hindin opened the public hearing. No one from the public attended.

Discussion: Village Attorney Lewis explained that the change in the law was to allow for a change in the neighbor notification for Planning Board site plan approval. The

Village will allow for the use of a Certificate of Mailing and a signed affidavit when mailing notices using a listing of neighbors from the Village records

Trustee Tarapata noted that no one from the public was in attendance and made a motion to close the public hearing, seconded by Trustee Nye and it was so moved.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

Trustee Tarapata made a motion to adopt local law #1 of 2016, seconded by Trustee Nye and so moved. With no further discussion and all in favor, the law was adopted, as amended.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

#### Local Law # 2 of 2016 Amending Article V Section 17:5 (c)

The Village Clerk read the public hearing legal notice.

Mayor Hindin opened the public hearing. No one from the public attended.

Discussion: Village Attorney Lewis explained that the change is similar and would be done for the Zoning Board hearing notifications also.

Trustee Tarapata noted that no one from the public was in attendance and made a motion to close the public hearing, seconded by Trustee Nye and it was so moved.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

Trustee Nye made a motion to adopt local law #2 of 2016, seconded by Trustee Tarapata and so moved. With no further discussion and all in favor, the law was adopted, as amended.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

#### Local Law # 3 of 2016, Tax Levy Limit

The Village Clerk read the public hearing legal notice.

Mayor Hindin opened the public hearing. No one from the public attended.

Discussion: Mayor Hindin noted that the Village must pass this law each year to be eligible to exceed the 2% cap. If the Board decides not to exceed the cap they must rescind the law prior to the adoption of the budget.

Trustee Tarapata noted that no one from the public was in attendance and made a motion

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

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

Trustee Tarapata made a motion to adopt local law #3 of 2015, Tax Levy Limit in Excess of Limit Established in GML Section 3-C seconded by Trustee Nye and so moved. With no further discussion and all in favor, the law was adopted.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustee Esmay, Trustee Diamond

Rockland Farm Alliance – Tabled. Resolution not submitted for review

Stop Sign/Street Light Request – Roseland Road - Send to CPD for review and recommendation.

Treasurer – Search continues

Discussion- The Board discussed auditing and accounting for the Village financial records. Mayor Hindin, Trustee Nye and the Village Clerk met with David Wemmer of Korn Rosembaum LLP. Mayor Hindin & Trustee Nye were impressed with the professionalism and credentials of the firm. After a brief discussion:

Trustee Tarapata motioned to accept the proposal of Korn Rosenbaum LLP to provide auditing services for the Village of Upper Nyack, subject to the approval of the Village Attorney, and that the Mayor be allowed to sign the document contracting with the firm, seconded by Trustee Nye and so moved.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustees Esmay & Diamond

MINUTES – Regular Meeting, December 17, 2015

Trustee Nye made a motion to approve the minutes of the **12/17/2015 Regular meeting**, seconded by Trustee Tarapata and so approved.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustees Esmay & Diamond

Trustee Tarapata made a motion to adjourn, seconded by Trustee Nye and so moved. The meeting was adjourned at 9:00 PM.

AYES: Mayor Hindin, Trustees Nye & Tarapata

NOES: None

ABSENT: Trustees Esmay & Diamond

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk