

REGULAR MEETING
March 17, 2016

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, March 17, 2016 at 7:00 PM.

Those present: Mayor Hindin, Trustees, Diamond, Esmay, Nye & Tarapata
Village Clerk: Carol G. Brotherhood; Village Attorney: Robert P. Lewis Esq.

Others identified: PO Paul Valerio CPD, Walter Lee, Jillana Sinnott, Peggy Kurtz, Suzanne Barclay, Marsha Keller

POLICE REPORTS – PO Valerio appeared. He noted there were 15 summonses and 37 medical emergencies.

3 incidents reported: 1) Suspicious car reported near Radcliff. Lead to a drug arrest for marijuana. 2) Hazardous Materials – Hilltop Lane, mercury spill 3) suspicious vehicle – two people in a van pulled into a driveway on Glenbrook Rd. When approached said they were looking around in anticipation of a delivery the next day.

PO Valerio also noted that in the spring there is an uptick in the number of scams reported.

Walter Lee, 105 Larchdale Ave., spoke to PO Valerio and stated that he contacted CPD last year about young people parking near his house and using drugs and drinking. The Police were slow to respond. The youths park their cars then go to Hook Mountain Park. The warm weather increases the activity.

PO Valerio will note this so that he and other officers in the Village can check the area.

TREASURER'S REPORT –Submitted for review.

Budget Workshop March 24, 2016

VOUCHERS – Read and approved for payment.

Walter Lee, 105 Larchdale Avenue also came before the Board to express his concerns about the changes to the Marydell property. Mr. Lee has read many articles about the property and wanted to speak to the Board and inquire as to what was accurate?

The Board noted to Mr. Lee that money from the Village of the securing of some of the property for parkland is contingent on agreeing to a deed restriction for no parking.

The Marydell Sisters do not want the area to be used for parking and would agree with a restrictive deed if possible.

Mayor Hindin noted that once the property is transferred the Village will get tax money. It will take 8-10 years to recoup the initial investment.

Trustee Diamond noted that the Marydell Sisters will only sell if the property remains unchanged. The Sisters will retain 8 acres of the land.

The Board would like to see a restrictive covenant with no parking or park activity allowed. Mr. Lee was relieved to that a restriction was being worked on.

ROCKLAND COUNTY TASK FORCE ON WATER RESOURCES MANAGEMENT

Members of the group (Peggy Kurtz, Marsha Keller and Suzanne Barclay) appeared before the Board to request The Village of Upper Nyack become a WaterSense Partner. The USEPA was started 8 years ago to promote water efficiency and need for water conservation. They do public outreach and test and certify plumbing products for efficiency and if passes gets a Water Sense label (like energy star) There is a range of price in products. There are also certification programs for new homes (3rd party certifier)

A main goal is to raise awareness of the need for water conservation

Trustee Tarapata made a motion that the Village of Upper Nyack become a Water Sense Partner, seconded by Trustee Nye and so moved.

On a call for a vote:

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

NOES: None

ABSENT: None

MINUTES - Trustee Nye made a motion to approve the minutes of the **02/18/2015 Regular meeting**, seconded by Trustee Tarapata and with no further discussion, so moved.

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

NOES: None

ABSENT: None

Dorina & Joseph Maragliano, 109 School Street, requested the Board investigate the process of going from Suez Water back to Nyack Water. Mayor Hindin called Nyack water and spoke to a representative there who stated the following:

- 1) Nyack would have to vote to allow Upper Nyack to go back to using Nyack Water
- 2) Suez would have to agree and there is the possibility of a lawsuit
- 3) Extremely costly
- 4) Deeds show all water pipes in the street do not belong to Upper Nyack. The transfer of ownership would have to come from Suez.

The Maragliano's did not appear at the meeting. Mayor Hindin had spoken to Ms. Maragliano prior to the meeting and they decided they had all the information they needed and chose not to attend.

RECORDS STORAGE FACILITY – The Board discussed and agreed to have a bid proposal prepared and solicit bids for the renovation of the village's building for records storage.

Trustee Esmay made a motion, seconded by Trustee Tarapata and it was so moved.

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

NOES: None

ABSENT: None

RUBBISH REMOVAL BID – The Board of Trustees discussed the ending on May 31, 2016 of the contract for rubbish removal in the Village and need to secure a new contract. Therefore Trustee Nye made a motion and Trustee Tarapata seconded to have the Village Attorney and Village Clerk prepare the bid documents necessary and to publish a notice to solicit bids for the removal of rubbish from the Village of Upper Nyack with the new contract beginning June 1, 2016 and ending May 31, 2019.

On a call for a vote:

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

NOES: None

ABSENT: None

Policy for Weapons in the Workplace On a recommendation of NYMIR, our municipal insurance carrier for worker's compensation, and after a brief discussion, Trustee Nye motioned and Trustee Tarapata seconded that the Village of Upper Nyack accept the policy on weapons in the workplace and that the policy be posted on the employee message boards in the Village hall and Dept. of public works and a copy be given to all employees.

On a call for a vote:

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

NOES: None

ABSENT: None

2016 Grievance - Assessor Recommendations-

Trustee Diamond made a resolution that the Board of Assessment Review accepts the recommendations of the Village Assessor for applications received on Grievance Day, February 18, 2016, seconded by Trustee Esmay and so moved.

On a call for a vote:

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

NOES: None

ABSENT: None

8:37 PM The Board voted to enter Executive Session on a motion made by Trustee Nye and seconded by Trustee Tarapata and it was so moved.

On a call for a vote:

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

NOES: None

ABSENT: None

Discussion of personnel matters, possible litigation.

8:50 PM The Board voted to exit Executive Session on a motion made by Trustee Nye and seconded by Trustee Tarapata and it was so moved.

On a call for a vote:

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

NOES: None
ABSENT: None

Rescind Appointment of combined titles

After a brief discussion and at the request of the Village Clerk, the Board voted to rescind the combined title of Village Clerk/Treasurer.

Trustee Tarapata made a motion and it was seconded by Trustee Diamond and so moved
On a call for a vote:

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

NOES: None

ABSENT: None

APPOINTMENT OF TREASURER

After a brief discussion, Trustee Esmay made a motion to appoint Richard Fortunato as Treasurer for a term of one year, beginning March 17, 2016 to April 6, 2017, at a salary of \$3,500 per month, seconded by Trustee Tarapata and so moved.

On a call for a vote:

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

NOES: None

ABSENT: None

Mayor Hindin noted that the Board had previously contracted with Korn Rosenbaum LLP to conduct an audit for the fiscal year ending May 31, 2016.

The public hearing to consider amending Ordinance 2.2 (e) by adding a stop sign at the intersection of Roseland Road with Glenbrook Rd. will be held on April 21, 2016 at 7:45 PM. The Board had a passed a resolution to hold it at the March meeting but the notice was not published in time.

TENTATIVE BUDGET -SET PUBLIC HEARING DATE

Trustee Tarapata made a motion that the Village Clerk will publish a notice of public hearing for the tentative budget to be held on April 21, 2016 at 7:15 PM, seconded by Trustee Esmay and so moved.

On a call for a vote:

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

NOES: None

ABSENT: None

DPW/ DISCUSSION

The Board discussed items the DPW would be purchasing this year, which included a Mig welder (current one village owns is over 40 years old), asphalt trailer (State bid price and will no longer own with other villages) and the two trucks will be surplussed

and sold and one new truck purchased. The trucks will all fit in the DPW building and eliminates the need for a storage building. All equipment will fit inside.

Trustee Esmay made a motion to adjourn at 9:17 PM, seconded by Trustee Tarapata and it was so moved. On a call for a vote:

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

NOES: None

ABSENT: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk