

## REGULAR MEETING

August 18, 2016

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, August 18, 2016 at 7:00 PM.

**Those present:** Deputy Mayor Esmay, Trustees Diamond & Nye  
Village Clerk Carol G. Brotherhood,

**Absent:** Mayor Hindin, Trustee Tarapata, Treasurer Richard D. Fortunato, Village Attorney Robert P. Lewis

**Others identified:** PO Valerio CPD; Ben Weiland –TPL, Nikitas Nicolakis- Jewett Rd.

POLICE REPORTS – Officer Valerio appeared. Discussed: Parking prior to 6 am on Castle Heights Ave; Parking on sidewalk on Highmount Ave; Fire Tech, 409 North Highland Ave/Debris still being removed from the property & complaint re: U-Haul trucks being parked overnight during that removal; speeding on N. Midland at Birchwood & N. Highland at Riverton; Unlicensed driver (car towed); IRS scam still occurring; Truck Inspections – 123 since beginning of July with 64 taken out of service-violations must be corrected before use of truck allowed.

### MARYDELL-TRUST FOR PUBLIC LAND

Discussion: Deputy Mayor Esmay spoke with Mayor Hindin by phone (08/18/16) and Mayor Hindin confirmed his support of the Marydell-TPL and the \$100,000 to be given by the Village towards the purchase.

Ben Weiland detailed to the Board the pre-conditions of the Village:

The money and deed have been deposited into an escrow account

Village Attorney will review the deed to confirm that the parking restrictions are as originally stated (within 60 days of Nov. 29<sup>th</sup>)

Preconditions:

- 1) Village of Upper Nyack approval of funds
- 2) Town of Clarkstown – approval of funds
- 3) State 2.1 mil State Parks approval
- 4) Attorney General approval
- 5) State office
- 6) Durst Corp. – Conservation Easement on the Marydell retained parcel
- 7) Grant agreement with \$50,000 from Open Space Institute (OSI)

Trustee Nye made a motion that subject to review of the deed and the attached closing procedures by the Village Attorney, that the Board approve the following resolution, seconded by Trustee Diamond and so moved.

On a call for a vote:

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

RESOLUTION ADOPTED AT THE VILLAGE OF UPPER NYACK  
BOARD OF TRUSTEES MEETING ON AUGUST 18, 2016

RESOLUTION AUTHORIZING THE VILLAGE TO CONTRIBUTE FUNDS FOR THE  
PURCHASE OF REAL PROPERTY ADJACENT TO HOOK MOUNTAIN STATE PARK FROM  
THE INSTITUTE OF CHRISTIAN DOCTRINE BY THE TRUST FOR PUBLIC LAND

WHEREAS, the Village Board of the Village of Upper Nyack wishes to assist the Trust for Public Land, in acquiring from the Institute of Christian Doctrine (Marydell) property in Upper Nyack, next to Hook Mountain to aid in the preservation of the Hook Mountain State Park; and

WHEREAS, the Trust for Public Land has applied for a grant to the New York State office of Parks, Recreation and Historic Preservation to help fund the purchase; and

WHEREAS, the Village Board, in concert with the State of New York, County of Rockland, Town of Clarkstown and private individuals, will contribute towards a portion of the purchase price for approximately thirty (30) acres from the Institute of Christian Doctrine at the base of Hook Mountain to be transferred to or at the direction of the Trust for Public Land and ultimately to the Palisades Interstate Park Commission.

NOW, THEREFORE, BE IT

RESOLVED, that the Village Board hereby authorizes the Mayor to fund up to One Hundred Thousand (\$100,000.00) Dollars towards the purchase price of said thirty (30) acres owned by the Institute of Christian Doctrine at the base of Hook Mountain consisting of approximately thirty (30) acres, subject to review of the deed by the Village Attorney and the attached closing procedures; and

BE IT FURTHER, RESOLVED, that the Mayor is hereby authorized to execute any and all legal documents necessary to authorize the transfer of funds.

Dated: August 18, 2016

Nik Nicolakis, 202 Jewett Rd, a new resident, came to introduce himself to the Board and discuss a possible drainage issue with his neighbor. Mr. Nicolakis had called village hall the day before because the neighbor was doing work on the property that he was not sure was approved. Building Inspector was alerted and visited the site and stopped all work until they appear before the Planning Board. Mr. Nicolakis will come to village hall and FOIL information regarding the two properties.

MINUTES – Trustee Nye motioned that the Board approve the minutes of the Regular meeting of July 21, 2016, seconded by Trustee Diamond and so moved.

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

TREASURER'S REPORT – Not available  
VOUCHERS – Read and approved for payment

MS4-SPDES REPORT- Submitted for review  
Presentation of the MS4 Stormwater Management Program  
Annual Report of 2016

After having reviewed the MS4 Report, Trustee Diamond made a motion to accept the MS4-SPDES report, as recommended by the Village Engineer, and noted that Mayor has signed and certified, and will submit the report to the NYS DEC, seconded by Trustee Nye and it was so moved.

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

SAFETY COMMITTEE

Trustee Nye noted there were no issues to report at this time. The mandatory Violence in the Workplace Prevention training is due to be done again soon. The Clerk will contact Josh Albon from NYMIR to inquire if there is any new training information he can provide.

STREET CLOSING REQUEST: Empire Hook & Ladder Co. #1

Saturday, October 1, 2016 / 3 pm until 11 pm

Discussion: The Board agreed to the street closing and requested a certificate of insurance.

Trustee Nye made a motion that the Board allow the closure of North Broadway, from Castle Heights Ave. to Birchwood Ave. on Saturday, October 1, 2016 from 3:00 PM until 11:00 PM for post parade activities conducted by Empire Hook & Ladder Co. #1 at the firehouse, and that they provide the necessary certificate of insurance, keep the eastern side of Broadway clear for emergency vehicles, adhere to the Village Ordinances 5.6 k. & 5.9 and notify residents of North Broadway, Summit School, Perry Lane and Lower Castle Heights Ave. of the closing, seconded by Trustee Diamond and so moved.

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

In anticipation of the new truck for the DPW, the Board will surplus the old truck with plow equipment as follows:

Trustee Diamond made a motion and Trustee Nye seconded and it was so moved that the following equipment be surplus and sold at auction:

2006 GMC 5500 truck

2006 Smith salt spreader, serial #8704, model #MD94

10' Fisher municipal series plow, serial # 29350

8' Fisher snow plow, serial #58003

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

Bike MS Fundraiser, Sunday October 23, 2016

Trustee Nye motioned to approve the request for the fundraising bike ride on Sunday, October 23, 2016, 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: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

Discussion: Tree planting on North Broadway. Placed on agenda for September 15, 2016

Cyber-liability Insurance – Village received a quote from our insurance carrier. Board wondered is there a need? Clerk will follow up with the computer Tech to see what security is in place.

Records Storage Room Shelving Proposal

The Village Clerk obtained a proposal from ASR Systems Group Inc. to purchase and install shelving in the new records storage room as well as the records vault in Village hall and purchase of a ladder to access the records. The company has the State bid pricing and was recommended by the NYS Archives.

The total amount proposed is \$9,330.17. Once an order is placed it will be 4-6 weeks lead time and payment due within 30 days.

Trustee Diamond motioned that the Village accept the bid of ASR Systems Group Inc. for the purchase and installation of shelving for the storage of village records in the new records room and the vault inside Village Hall, seconded by Trustee Nye and so moved.

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

The Village Clerk will check whether funds from the funding Grant arranged by Assemblyman Zebrowski can be used for this purpose.

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

AYES: Deputy Mayor Esmay, Trustees Diamond & Nye

NOES: None

ABSENT: Mayor Hindin, Trustee Tarapata

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Carol G. Brotherhood-Village Clerk