

REGULAR MEETING

October 20, 2016

The Regular monthly meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, October 20, 2016 at 7:00 PM.

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

Absent:

Others identified: PO Valerio (CPD), Ben Weiland – TPL, Sister Angela Reamer,
Sister Agatha Cullen, Paul Braus, Kenyon Rothschild, Fran Marton

POLICE REPORTS – Officer Valerio attended and discussed the following with the Board:

Calls for service were 1) medical (24) 2) school checks (18) and 3) burglar alarms
5 parking tickets and 10 V&T

There was a DWI arrest on North Highland in September.

There is an abandoned vehicle at 235 Birchwood Ave, It has been in the driveway for a substantial amount of time. The Village will send a letter stating the vehicle must be removed and a time frame within when that must be done. The Police will follow up and if necessary have the vehicle removed for salvage.

The complaint on the “Got Junk” truck parked in the driveway on Glenbrook Rd. has been removed.

The IRS and Microsoft scams are still prevalent.

TREASURER'S REPORT- Presented by Treasurer Fortunato.

The audit has been completed. The report will come soon with a letter of recommendations. Village Attorney Lewis recommended the list should be sent to each Board member and the Treasurer should respond item by item.

Treasurer Fortunato noted that the AUD has been sent and received by the State (10 days ago). There are 12 delinquent property tax owners. The list will be given to the County by November 15, 2016.

Bond payment – Trustee Esmay made a motion that the Board agrees to allow the Treasurer to pay not more than \$20,000.00 for the DPW bond payment, seconded by Trustee Tarapata and so moved.

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

NOES: None

The Village is waiting on an email with the application for Grant money secured from Assemblyman Zebrowski for the purchase of a truck. Treasurer Fortunato will fill out and send right back to the Assemblyman's office.

VOUCHERS - Read and approved for payment.

TRUST FOR PUBLIC LAND/INSTITUTE FOR CHRISTIAN DOCTRINE(MARYDELL)

Ben Weiland appeared before the Board to request acceptance of a proposed deed of dedication from the Institute of Christian Doctrine to the Village of Upper Nyack for a road widening on Larchdale and North Broadway.

After the Village Board reviews and accepts the deed of dedication it will be placed on the subdivision plat and filed with the Rockland County Clerk. The deed will go from the Institute of Christian Doctrine to the State. Money paid by the Village will be held in escrow by the Old Republic Title Insurance Company until the deed is conveyed to the State and money paid to Marydell.

Once the deed is recorded there is a waiting period. Language regarding the parking will be in the deed verbatim, as agreed. The Village Attorney will review the documents but will be not preparing them.

Resolution by the Village of Upper Nyack Board of Trustees to accept the proposed deed of dedication from the Institute of Christian Doctrine to the Village of Upper Nyack for a road widening on Larchdale and an easement on North Broadway:

Motion: Trustee Esmay

Second: Trustee Diamond and so moved.

On a call for a vote:

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

NOES: None

Filming in Upper Nyack

Paul Braus, 136 Castle Heights Avenue, appeared before the Board because he was having an issue with all of the film shoots taking place in Upper Nyack that appeared to be concentrated in his neighborhood. Felt it was unfair. He submitted a diagram of a plan for spreading out the filming. The revenues obtained aid all residents and it should be equitable. One homeowner should not benefit financially and it should be adjusted. Mr. Braus noted that he values his quiet and peacefulness of his home. During filming his egress and exit had been delayed or prevented and felt that was also unfair. Mr. Braus also did not like that they left equipment on the street overnight and picked it up very early in the morning.

Mayor Hindin told Mr. Braus that the Village sets regulations for the filming for hours, parking and days but does not control how the production company decides on a location. The Village has benefitted from the income from the filming which does benefit all residents.

Mr. Braus thanked the Board for the opportunity to speak to the Board.

Ken Rothchild, 300 Ellen Street, appeared before the Board. He noted that he used to work in the film industry and large equipment may have been left until the next morning to avoid overtime or double time for the company.

Mr. Rothchild appeared to speak about boatyard activities that were a concern for himself, his wife and neighbors. Mr. Rothchild complained that there was power washing and spray painting being done at the boatyard at about 2 pm that day. A strong chemical smell drifted up to their house and made them feel nauseous. They were unsure what to do about it and feel the Board has been unresponsive to their concerns and Mr. Rothchild's personal opinion is that the boatyard is being favored over other property owners in the neighborhood. The Rothchild's and other families have retained counsel to for the Board to discuss their concerns. They want to know who to call or address to get immediate response. Mr. Rothchild noted that over the summer it had been fairly quiet but worried that it will start up and continue again in the fall through the winter. They want assurance from the Board that the shipyard business is being watch, inspected and controlled in adherence to the law. They are very concerned about their property values and the quality of their community. They want to be represented as equally as all residents.

Mayor Hindin noted that he was unsure that characterization was true but Mr. Rothchild was entitled to his opinion and the Village will look into the concerns.

The Board suggested that if there is an incident with a strong chemical smell and village hall is closed they could contact the police to investigate.

At 8:10, Fran Marton, 4 Castle Heights Ave arrived but did not address the Board and left with Mr. Rothchild.

MINUTES -Trustee Esmay made a motion to accept the minutes of the **regular meeting of 9/15/2016**, seconded by Trustee Tarapata and so moved.

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

NOES: None

STREET CLOSING – Halloween 10/31/16 / North Broadway & Castle Heights

The Board discussed safety issues for the evening. In the past the Board has voted to close the road or open to local traffic only. The Fire house will have its annual haunted house and the area draws large numbers of children and families. The Board determined it would be safest to close the roadways for a few hours.

The Board decided that North Broadway would be closed from Birchwood Ave to Highmount Ave. and Castle Heights from North Midland to North Broadway, from 5 pm to 8 pm and that the Clarkstown Police will be asked to provide barriers and auxiliary or traffic officers.

The bus will be diverted up and down Highmount Ave during the hours from 5-8 pm.

Trustee Tarapata noted she attended a transportation meeting at the library. Discussion took place about the ongoing construction of the TZ Bridge and was to improve bus transportation for commuters.

EXECUTIVE SESSION

8:20 PM The Board voted to move to executive session

Motion: Trustee Nye

Second: Trustee Diamond

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

NOES: None

Discussed: Legal matters; personnel matters

8:50 PM The Board motioned to exit executive session

Motion: Trustee Diamond

Second: Trustee Nye

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

NOES: None

Trustee Esmay made a motion to adjourn, seconded by Trustee Nye and so moved. The meeting was adjourned at 8:58 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk