

REGULAR MEETING

May 21, 2015

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, May 21, 2015 at 7:00 PM.

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

Other's identified: Lt. Morgan

POLICE REPORT – Lt. Morgan attended and presented the report.

The recent bike event Gran Fondo went well.

CPD are using Traffic Safety grants to conduct seatbelt checks, DWI checks and other traffic safety stops.

Did a recent monitoring of speed of cars on North Broadway in the north & southbound lanes. There was not a lot of volume except during 5-6 pm, a typical rush hour time. The traffic speed sign will be placed along the roadway.

Discussion took place on the following: Report of juveniles hanging out at the top of upper Badi Dr & end of Radcliffe Dr.; 43 reported incidents or calls for service; 33 V&T-assorted tickets, warnings & violations; continuing to monitor phone scams; heroin overdose (Rt 9W & Christian Herald Rd)

Noise Ordinance: Lt Morgan explained that the Clarkstown Noise Ordinance does not use decibels; based on time. The Board has been in discussion with Lt Morgan and CPD regarding complaints of noise. Lt Morgan's recommendation was to not consider modeling the Village Law on the Piermont Law which is based on decibels.

PROCLAMATION- The following proclamation was read into the record and a copy presented to Vincent S. Morgan.

PROCLAMATION

At the Regular Meeting of the Board of Trustees of the Village of Upper Nyack held in Village Hall, 328 North Broadway, Upper Nyack, NY on Thursday, May 21, 2015, at 7:00 PM, the following were present: Mayor Jeffrey S. Hindin, Deputy Mayor Michael Esmay, Trustee Joseph P. Diamond, Trustee Donna L. Nye and Trustee Tarapata it was proclaimed that;

WHEREAS, the vitality of a community depends largely on the spirit, pride, and involvement of its citizens;
and

WHEREAS, community spirit and pride are often reflected in service rendered to the community; and

WHEREAS, Vincent S. Morgan has embodied the ideals of community service for many years, and

WHEREAS, Vincent S. Morgan is a natural leader and has involved himself in community activities designed to advance human dignity; and

WHEREAS, Vincent S. Morgan has been a resident of Rockland County and has lived in Upper Nyack since 1986; and

WHEREAS, Vincent S. Morgan lives in Upper Nyack with his wife Ann; and they raised their children Katie and Peter here; and

WHEREAS, Vincent S. Morgan served on the Planning Board from September 1988 until April 2003, serving as member, Vice Chairman and Chairman; and

WHEREAS, Vincent S. Morgan was elected as Trustee in April 2003, and served until his term ended in April 2015; and

WHEREAS, Vincent S. Morgan was appointed as Deputy Mayor in April 2009 until April 2013, serving after many years of dedicated and faithful service to the Village and his community; and

WHEREAS, Vincent S. Morgan's years of planning experience was called upon in the developing of the Village Comprehensive Plan and Zoning Amendments for Upper Nyack: and

WHEREAS, Vincent S. Morgan was relied upon as the preeminent editor of many documents for the Village of Upper Nyack: and

WHEREAS, it is the sense of this legislative body to publicly recognize those individuals who have distinguished themselves as outstanding citizens in their community; and

NOW, THEREFORE, BE IT RESOLVED, that this legislative body pause in its deliberations to honor Vincent S. Morgan on the occasion of his outstanding community service and,

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to Vincent S. Morgan.

By the order of the Board of Trustees, May 21, 2015.

Jeffrey S. Hindin, Mayor, Michael Esmay, Deputy Mayor/ Trustee, Joseph P. Diamond, Trustee, Donna L. Nye, Trustee, Karen Tarapata, Trustee

MS4-SPDES REPORT- Submitted for review

MS4 Stormwater Management Program Annual Report of 2015

Village Engineer Dennis Letson reported to the Board that this is an annual mandatory report submitted to the NYS DEC, generated by the Village Engineer. 2003 was the first year for the reporting on the Stormwater & Storm Sewer System discharge.

Trustee Nye 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 be submitted to the NYS DEC, and posted to the Village Website, seconded by Trustee Tarapata and it was so moved.

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

NOES: None

7:30 PM PUBLIC HEARING RESCINDING Local Law #3 OF 2015 known as Local Law #5 of 2015 Tax Levy Limit

The Village Clerk read the public hearing notice.

Mayor opened the public hearing. The Board will rescind this law to allow the residents to receive a rebate from the state by keeping within the tax levy limit of under 2%.

Trustee Diamond motioned to close the public hearing, seconded by Trustee Nye and on a call for a vote to close:

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

NOES: None

As there was no further discussion, Trustee Tarapata motioned to rescind local law #3 of 2015, tax levy limit, seconded by Trustee Diamond and it was so moved and on a call for a vote:

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

NOES: None

MINUTES – Trustee Esmay motioned that the Board accept the minutes of the Regular meeting of April 16, 2015, as corrected, seconded by Trustee Nye and it was so moved.

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

NOES: None

TREASURER'S REPORT – Submitted for review.

VOUCHERS – Read and approved for payment.

RESOLUTION COMBINING TITLES OF VILLAGE CLERK TREASURER

On a motion by Trustee Diamond and seconded by Trustee Tarapata and on a call for a vote, the Board approved the attached resolution.

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

NOES: None

EXECUTIVE SESSION

8:02 pm Trustee Nye made a motion that the Board enter into executive session, seconded by Trustee Diamond and so moved.

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

NOES: None

Discussion took place regarding legal matters of a Zoning Board of Appeals decision and Planning Board discussion of the same matter.

9:05 pm Trustee Tarapata made a motion that the Board exit executive session, seconded by Trustee Nye and on a call for a vote:

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

NOES: None

Trustee Nye inquired if Board members can submit mileage when attending workshops or meetings for the Village.

Mayor & other Board members agreed that although it has not been done in the past, it could be.

Trustee Nye /Safety Committee

Trustee Nye reported on the set up of a safety committee for the Village of Upper Nyack which is recommended by our Workers Compensation carrier.

She will meet with Josh Albon of Wright Risk Management on June 18, 2015 to discuss how to set up the committee (Meeting was postponed until June 29th at 10 am)

Motion to adjourn by Trustee Nye and seconded by Trustee Tarapata and so moved. The meeting was adjourned at 9:07 PM

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk