

REGULAR MEETING

November 19, 2015

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, November 19, 2015 at 7:00 PM.

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

Absent:

Others identified: PO Paul Valerio-CPD, Jillana Sinnott, Ben Weiland, Robert Stein, Enid Weishaus

POLICE REPORTS – PO Valerio attended to discuss recent incidents.

Discussion: Accident at Village hall on video surveillance. The driver was identified and ticketed.

Summit School – Drugs (marijuana) confiscated and student arrested.

Student transferred to Nyack Hosp. as possibly suicidal.

Filming – Dec. 8, 2015 Helicopter shot. Trustee Nye, the Village Clerk, Clarkstown Police and the Locations personnel for The Path met at Marydell to discuss the upcoming filming which includes a helicopter hovering & landing at Marydell, street closures of N. Midland & Larchdale and use of a drone. CPD Officers will be on hand to monitor and control traffic for safety.

Snowflake, 5K race/walk – Verify date

The Clarkstown Police continue to speak at Senior Club meetings with information on telephone scams and winter preparedness.

TREASURER'S REPORT – Not available

VOUCHERS – Read and approved for payment.

Trust for Public Land – Discussion

Ben Weiland, representing the Trust for Public Land appeared before the Board to follow up on previous discussion with the Board regarding Marydell. Mr. Weiland informed the Board that the State will fund 2.1 million for acquisition of the Marydell property. There will be a parking restriction on the contract, at the insistence of the Marydell Sisters and the Village Board, for the eastern half of the property.

The funding will come from NYSOPRHP as an annual allocation.

Currently there is no commitment from the Town of Clarkstown.

Trust for Public Land is applying for \$50,000 grant and have another ½ million in other grant applications.

The appraisal would only support a 3.1 million purchase price.

There is a Mid-Hudson REDC grant in the amount of \$450,000.

There are HUD applications through the county for land acquisition. The Village may be eligible.

The restriction on parking will be a Deed restriction and the Village could be the holders of that restriction.

Village Attorney Lewis inquired if the wording in the restriction could include that if a lawsuit was brought forward, the party that is unsuccessful would have to pay for the cost of litigation.

Mr. Weiland also noted that the lot yield analysis showed that access road to the 8 lots is substandard and may require a variance.

\$100,000 in taxes anticipated without increased services which is good for the Village.

The Trust for Public Land will continue to search for private donors as well. Mr. Weiland will forward HUD grant apps to the Village.

Nyack Community Ambulance Corps. Inc.

The Village received a request from Nyack Community Ambulance Corps. to conduct their Snowflake 5K race/walk through the Village of Upper Nyack on Sunday, December 27, 2015 beginning at 10 am. The event will last about 1 hour and end back at the Ambulance Corp. building on N. Midland. Ave.

Trustee Nye made a motion that the Board approves the 5K race/walk for Sunday, December 27, 2015, providing they submit the proper certificate of insurance and coordinate with the Clarkstown Police Dept., seconded by Trustee Tarapata and so moved.

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

NOES: None

RESOLUTION-Annual Review of Policy Statements

Trustee Nye made a motion that the Board will review, at its Annual Organizational meeting the policy statements for Equal Employment Opportunity, Sexual Harassment and Workplace Violence Prevention and any new policies that get adopted, seconded by Trustee Tarapata and it was so moved.

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

NOES: None

Discussion- Treasurer Position – Under Village Law, Village must have

position of Treasurer. Discussion tabled

8:05 PM Executive Session – Trustee Tarapata made a motion that the Board enter into executive session, seconded by Trustee Nye and so approved.

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

NOES: None

Discussed: Financial audit, tax certiorari, tax overpayment

8:43 PM Executive Session – Trustee Tarapata made a motion that the Board exit executive session, seconded by Trustee Nye and so moved.

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

NOES: None

MINUTES –Trustee Tarapata made a motion to approve the minutes of the **regular meeting of 10/15/15**, seconded by Trustee Esmay and so approved.

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

NOES: None

Resolution in support of Grant Application

Trustee Esmay made a motion, seconded by Trustee Tarapata and so moved the following resolution:

RESOLUTION IN SUPPORT OF GRANT APPLICATION
THE NEW NY BRIDGE WATERFRONT REVITALIZATION GRANT PROGRAM
VILLAGE OF UPPER NYACK
NORTH BROADWAY SIDEWALK SYSTEM AND OLD STONE CHURCH

WHEREAS, the New NY Bridge Waterfront Revitalization Grant Program is soliciting Requests for Applications for projects from waterfront communities adjacent to the New NY Bridge in Westchester and Rockland Counties, and

WHEREAS, the Village of Upper Nyack is one of the eligible communities for the grant, and

WHEREAS, eligible activities include

- new public parks, open spaces and improvements to existing facilities
- “complete streets”, including streetscape and gateway improvements, pedestrian walkways, sidewalks, and trails; crosswalks and other pedestrian safety enhancements
- land and water based trails, launch sites, and directly related infrastructure and improvements

and,

WHEREAS, the Village of Upper Nyack has eligible projects it desires to complete which consist of sidewalk improvements and extension on North Broadway to connect to State Parkland at Nyack Beach State Park and improvements to the Old Stone Church which is an historic property which will serve as an educational resource and as a

stopping point for users of the sidewalk system,

NOW THEREFORE BE IT RESOLVED that the Village of Upper Nyack Village Board has approved the Project, including the expenditure of any matching funds if applicable, and

BE IT FURTHER RESOLVED that the Village Board direct Deputy Mayor Esmay, Trustee Diamond and the Village Engineer to prepare and submit an application under the Request for Applications, and

BE IT FURTHER RESOLVED that the Village of Upper Nyack will authorize Project spending either in the Village budgets or by separate resolutions.

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

NOES: None

Nyack Joint FD would like to meet with the Board and the Building/Fire Inspector to discuss illegal accessory apartments and solutions for safety. No date has been set.

Employee Guidelines – Tabled

Set Public Hearing Date: System of Neighbor notification to be amended

Trustee Tarapata made a motion that the Board schedule a public hearing at the next regular meeting to be held on Dec. 17, 2015, at 7:30 pm, to consider amending the neighbor notification system for Site Plan review by the Planning Board and notifications for review by the Zoning Board of Appeals and Architectural Review Board, seconded by Trustee Nye and so moved.

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

NOES: None

The Village Attorney will draft the new language

With no further business before the Board, the Mayor called for a motion to adjourn.

Trustee Nye made a motion to adjourn, seconded by Trustee Diamond and so moved. The meeting was adjourned at 9:05 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk