

REGULAR MEETING
December 17, 2015

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, December 17, 2015 at 7:00 PM.

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

Others identified: PO Valerio-CPD; Roy Wanamaker-UN Building Inspector

POLICE REPORTS – Officer Valerio presented an updated report arranged by categories. There were 27 medical calls. During Jan-Mar, CPD will be doing truck inspections in conjunction with the State DOT. There are extra patrols being done at the Palisades Mall such as escorting shoppers to their cars.

The Police continue to receive calls about the IRS phone scam.

The filming at Marydell, with the use of a helicopter, went well. NO complaints.

Canine unit will bring the new dog, Remy, to the Jan. meeting. The dog is used at traffic stops, burglaries and educational sessions in schools.

MINUTES - Trustee Esmay made a motion to accept the minutes of the **regular meeting 11/19/2015**, seconded by Trustee Nye and so approved.

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

NOES: None

UNSAFE BUILDING RESOLUTION- Property located at 314 North Midland Avenue (60.17-01-17). Mayor Hindin asked the Building Inspector, Roy Wanamaker to attend the meeting and discuss his recent findings following an inspection at the above mentioned property. Mr. Wanamaker explained that he had visited the property with David Bassnight of the RC Health Dept. who has enforcement abilities. Mr. Wanamaker put together a chronological history of how this was assessed. He noted the following:

- 19 people were occupying the house
- Being used as a rooming house
- All rooms had locks on the doors, refrigerators and multiple beds
- Cockroach infestations
- Non-working smoke detectors
- Uncapped waste line in the basement
- No hot water for 30 days
- Debris in the yard (old mattresses, refrigerator)

Mr. Wanamaker requested that the Board consider condemning the building or declaring it an unsafe building. The Board was in agreement that this is not a safe situation and should be addressed immediately.

Trustee Tarapata made a motion that the Board authorize Roy Wanamaker, Building Inspector for the Village of Upper Nyack, to serve notice to the owner of the property at 314 North Midland Avenue, regarding the unsafe conditions and violations of the NY State Property Maintenance Code & NYS Building Code, seconded by Trustee Esmay and so moved.

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

NOES: None

VILLAGE ELECTION:

No Registration Day – Trustee Tarapata made a motion that there will be no separate registration day in 2016, Election Law §15-118(3), seconded by Trustee Diamond and so moved.

Polling Place & Hours - Trustee Tarapata made a motion that the Village of Upper Nyack, Village Election, will be held in the Village Hall on Tuesday, March 15, 2016 from 12 Noon until 9 PM as per Election Law §15-104(3), seconded by Trustee Nye and so moved.

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

NOES: None

TREASURER'S REPORT – Budget vs actual submitted for review

VOUCHERS Read and approved for payment

Treasurer position- Discussion regarding Board's desire to hire a PT person

SET PUBLIC HEARING: Local Law # 1 of 2016

Trustee Tarapata made a motion that the Board of Trustees holds a public hearing on January 21, 2016, at 7:30 pm, to adopt a local law amending the process for neighbor notification for applications before the planning board and zoning board of appeals, seconded by Trustee Nye and so moved.

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

NOES: None

REQUEST - Nyack Biennial Chief's Parade

The Chief of the Nyack Fire Dept. sent a request for permission for the Nyack Biennial Chief's Inspection parade to line up and march through the Village of Upper Nyack on Saturday, October 1, 2016, beginning at approximately 2 pm. After a brief discussion, the Board determined they would need further information and asked the Clerk to request that Chief Reid come to the next Village Board meeting to answer some of the questions and concerns they had. The Clerk will send a letter.

UNES PTA Request for use of the OSMH

The Board discussed the proposal from the UNES PTA for use of the OSMH as a distribution space for their FARMIGO (farm to table local food products) as a PTA fundraiser and on an ongoing basis (every Wed during the school year), and due to the

fact that the representative from the PTA, Chrissy Place answered all questions and concerns to the Board's satisfaction,

Trustee Tarapata made a motion the Board accept the proposal by the UNES PTA to use the OSMH for the Farmigo Fundraiser and that the Village Board of Trustees reserves the right to terminate this arrangement at their sole discretion, for any reason, at any time, seconded by Trustee Nye and it was so moved.

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

NOES: None

Cornell Cooperative Extension Intern- The Board has been in discussion with the Cornell Cooperative Extension to provide the Village with an intern who would be taking an inventory of all roads and drainage in the Village. The intern would be working in the Village in the summer of 2016.

Trustee Esmay noted that he had an inquiry from a resident, Richard Casioli, Tompkins Avenue as to why the Village does not have a leaf vacuum and the leaves get into the storm drains and create damage and more work for the DPW and dangerous situations in the road; and why his street is in such disrepair and has not been paved in so long? Discussion followed.

The Board discussed a follow up should be sent via email to the residents of Cedar Ave. that the painting of the lines in the no parking area and clean-up of the drainage ditch will be slated for the Spring.

SURPLUS ITEMS

Trustee Esmay made a motion that the Village surplus the following items that are no longer useful or operable for the Village of Upper Nyack:

DPW- Radar trailer, plow blade VILLAGE HALL - wooden file cabinets, gray metal file cabinets, 2 chairs, seconded by Trustee Nye and so moved.

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

NOES: None

SET PUBLIC HEARING – LOCAL LAW # 2 OF 2016

Trustee Esmay made a motion that the Board of Trustees holds a public hearing on January 21, 2016, to adopt a local law to provide for overriding 2% tax cap, seconded by Trustee Nye and so moved.

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

NOES: None

8:35 PM -Executive Session

Trustee Nye motioned for the Board to enter into executive session, 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

Discussion: Potential litigation against the Village

8:44 PM – Trustee Esmay made a motion that the Board exit executive session, seconded by Trustee Tarapata and with no further discussion and a call for a vote:

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 8:55 PM.

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

NOES: None

Respectfully submitted,

Carol G. Brotherhood

Village Clerk