

REGULAR MEETING

December 18, 2014

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, December 18, 2014 at 7:00 PM.

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

Others identified: Lt. Steve Morgan, PO Paul Valerio-CPD, Giuseppe Pagano, Matteo Pagano

POLICE REPORTS – Lt. Morgan & PO Valerio attended.

CPD are continuing their program Operation Slow Down by placing officers in different locations: Route 9W and N. Broadway near the Upper Nyack Elementary School.

The CPD has a Facebook page and has a live feed.

Discussion: Incidents possible burglary, larceny of lawn care equipment, electrical fire (N. Bway), gunshot heard (Van Houten-nothing found on check of area)

Summonses: cell phone use, failure to stop, speeding

Green Dot scam still active.

Further Discussion: Code Enforcement Officer: Since the Village CEO is retiring, the Village will need the enforcement of the General Codes. Auxiliary Officers do not have the power to write enforcement summonses. Generally the work load is small, based on complaints. A letter is sent from the Village to person in violation.

Community Policing is just the thing to help address the code enforcement issues.

MINUTES - Trustee Morgan made a motion to accept the minutes of the **regular meeting 11/20/2014** as amended, seconded by Trustee Tarapata and so approved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Tarapata

NOES: None ABSTAIN: Trustee Hindin

SET PUBLIC HEARING: Local Law # 2 of 2015, Amending Section 9.7 of the 1965 General code

Trustee Tarapata made a motion that the Board of Trustees hold a public hearing on January 15, 2015, to adopt a local law to provide for overriding 2% tax cap, seconded by Trustee Morgan and so moved.

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

NOES: None

VILLAGE ELECTION:

No Registration Day – Trustee Tarapata made a motion that there will be no separate registration day in 2015, Election Law §15-118(3), seconded by Trustee Hindin and so

moved.

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

NOES: None

Polling Place & Hours - Trustee Tarapata made a motion that the Village of Upper Nyack, Village Election, will be held in the Village Hall on Wednesday, March 18, 2015 from 12 Noon until 9 PM as per Election Law §15-104(3), seconded by Trustee Hindin and so moved.

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

NOES: None

Inspectors of Election – Trustee Diamond made a motion to appoint the following Inspectors of Election for the March 18, 2015 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour : Dorina Maragliano, Peter Stone, Isabel Weiner, and Carol Curto seconded by Trustee Tarapata and so approved.

Dorina Maragliano will serve as the Chairperson of the Inspectors.

On a call for a vote on the motion:

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

NOES: None

PUBLIC HEARING – LOCAL LAW # 4 OF 2014 (this law was received by the State Records and Law Bureau after Jan, 1 2015 and therefore became renumbered as local law #1 of 2015)

Amending Article V, Section 16:73 Temporary Certificate of Occupancy (CO) of the 1962 Zoning Ordinance of the Village of Upper Nyack

The Village Clerk read the public hearing notice.

Discussion: Mayor Esmay noted that the change to this local law was precipitated by a building not completed (no CO) but occupied. The Board is looking to make the law more stringent and make a temporary CO more difficult to obtain.

Trustee Tarapata noted that it was a health, safety and welfare issue.

The 90 days will be extended to six months but the fee will be increase substantially.

Mayor Esmay opened the hearing to the public.

Mr. Pagano, 309 North Broadway, asked what is the change ?

Mayor Esmay noted the major change is to extend the term of a temporary CO from 90 days to 6 months and the language is more detailed. The law gives the Building

Inspector more latitude to issue the temporary CO.

Motion to close: Motioned by Trustee Morgan

Seconded by Trustee Tarapata

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

NOES: None

Clerk read the local law.

After a brief discussion, Trustee Morgan made a motion that the Board adopt Local Law # 4 of 2014, amending Article V, Section 16:73 Temporary Certificate of Occupancy of the 1962 Zoning Ordinance of the Village of Upper Nyack, by deleting Section 16:73

and replacing it with a new section 16:73, seconded by Trustee Hindin and so moved.
AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Tarapata
NOES: None

TREASURER'S REPORT - Submitted for review

Last meeting for Treasurer MacCartney. Has structured a budget with an increase not larger than 2%. No blacktopping done in the last year so no request for CHIPS money. Have \$150,000 in reserve. Upcoming sewer projects will be done on N. Midland (bt Old Mtn & Foss) Foss, Spook Hollow and Oak Hill. Paving is not shown in the cost of those projects.

Village's debt has been consolidated and there are no new BAN's.

Trustee Tarapata made a motion that, Carol G. Brotherhood, Village Clerk be allowed to sign checks and financial documents in the absence of the Village Treasurer, seconded by Trustee Morgan and so moved.

VOUCHERS - Read and approved for payment

EMPLOYEE GUIDELINES

After a brief discussion, Trustee Tarapata made a motion that the Board of Trustees adopt the Village of Upper Nyack Employment Policy, dated December 18, 2014, seconded by Trustee Hindin and so moved. On a call for a vote:

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

NOES: None

DISCUSSION:

Report to DEC by the Village Engineer for compliance for storm drains, roof leaders and sump pumps connected to the sewer, have been removed and corrected (can be connected to the storm drain)

DPW storage building

Justice Court- there will not be any change to the prior resolution calling for the abolishment of the court.

AMEND SCHEDULE OF FEES

Trustee Hindin motioned, Trustee Diamond seconded that the Board of Trustees amend the Standard Schedule of Fees, by changing the fees for a Temporary Certificate of Occupancy to a \$2,500.00 non-refundable fee.

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

NOES: None

Trustee Hindin made a motion to adjourn, seconded by Trustee Tarapata and so moved.

With all in favor, the meeting was adjourned at 9:05 PM.

AYES: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Tarapata
NOES: None

Respectfully submitted,

Carol G. Brotherhood
Village Clerk