

REGULAR MEETING

June 20, 2013

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, June 20, 2013 at 7:00 PM.

Those present: Mayor Esmay, Trustees Diamond, Hindin, Morgan & Sarna (Trustee Hindin had not arrived when the meeting began but arrived about 7:20 pm.)

Village Clerk Carol G. Brotherhood, Village Attorney Lewis

Village Treasurer Barry MacCartney

Other's identified: Roy Wanamaker-Building Inspector

POLICE REPORT – Not available. PO Hodges unable to attend due to family commitment.

TREASURER'S REPORT – Submitted for review. Tax payments are being received and processed.

VOUCHERS – Read and approved for payment.

MINUTES – Trustee Morgan motioned to accept the minutes of the Regular Meeting of May 16, 2013, with minor corrections, seconded by Trustee Sarna and so moved.

AYES: Mayor Esmay, Trustees Diamond, Morgan & Sarna

NOES: None

ABSENT: Trustee Hindin

7:20 pm – Trustee Hindin arrived

Roy Wanamaker, Building Inspector of Upper Nyack appeared before the Board, at their request to update the Board on the progress at the Highland Subdivision property.

Currently tree protection and erosion control being put in place. There have been no inspections by the Building Inspector or the Village Engineer. Stefan Yarabeck did the inspection and a few items had to be redone. The Building Inspector and Village Engineer will inspect before the applicant is allowed to begin any site work. As of 6/20/13, Lot 1 is the only one where work can begin.

Special Permits: Letters were sent out in January requesting the appearance before the Planning Board for review of special permits, Places of Assembly. All have responded except the Summit School

Discussion took place re: DPW, water undermining roads in various places. Sink holes on N. Midland and Birchwood were identified. N. Midland & Wanamaker sink hole substantial (5(w)X13(d)) has been repaired as well as the catch basins.

CABLEVISION- Trustee Hindin made a motion that the Board set a public hearing to

be held at the next regular meeting, July 18, 2013 to consider a resolution to renew a Cable Franchise agreement, seconded by Trustee Sarna and so moved. Under consideration is the renewal of the Cablevision Franchise whereby the Village will continue receiving 5% of the gross revenues, paid quarterly and receiving free cable at 4 locations in the Village (VH, DPW, UNES, OSMH).

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

NOES: None

8:26 PM Trustee Sarna made a motion that the Board enter into executive session to discuss various legal issues, seconded by Trustee Morgan and so moved.

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

NOES: None

9:55 PM Trustee Hindin made a motion that the Board exit executive session, seconded by Trustee Morgan and so moved.

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

NOES: None

UNIFORM NOTICE OF CLAIM ACT

The Village of Upper Nyack received notification through NYCOM that the Uniform Notice of Claim act (effective June 15, 2013), amended New York's General Municipal law allowing notices of claim against cities and villages to be served on the New York Secretary of State as agent for New York's public corporations. The New York State Dept. of State would forward any notice of claim served on it to the individual the city or village designates to receive the notices of claim.

Trustee Sarna made a motion that the Village of Upper Nyack designate the New York Secretary of State as the local government's agent for service of notices of claim, and that the Village Clerk, Carol G. Brotherhood, Village of Upper Nyack, 328 North Broadway, Upper Nyack, NY 10960 will receive any notices of claim forwarded by the Dept. of State and further that notices of claim will be made within the 90 day limit (Municipal Law § 50-e) for filing a notice of claim on a city or village, seconded by Trustee Hindin and so moved.

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

NOES: None

Trustee Hindin motioned to adjourn, seconded by Trustee Morgan and so moved.
The meeting was adjourned at 10:02 PM.

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

NOES: None

Respectfully submitted, Carol G. Brotherhood, Village Clerk