

REGULAR MEETING

August 15, 2013

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, August 15, 2013 at 7:00 PM.

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

Absent: Trustee Sarna, Village Treasurer Barry MacCartney

Others identified: PO Hodges-CPD, Aidan Pagano

POLICE REPORTS – Officer Hodges appeared. Discussed: aggravated unlicensed operator; dumping of trash; lost license plate; criminal mischief; trespassing (dog walking on private property); break in to empty house (Badi Drive); leaving scene of accident (property damage)

MINUTES – Trustee Hindin motioned the Board approve the minutes of the Regular meeting of July 18, 2013, seconded by Mayor Esmay and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

TREASURER'S REPORT – Not available

OSMH - Trustee Diamond made a resolution to amend the multi year spending limit resolution (August 16, 2013) to \$60,000 for the Old Stone Meeting House, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

VOUCHERS – Read and approved for payment.

RESIDENTS OF LEWIS DRIVE – Did not attend.

GENERATORS-VILLAGE HALL & DPW – PROPOSALS

After a brief discussion, Trustee Hindin made a motion that the Board accepts the bid for an emergency generator power system for the Village Hall by Valentine Electric Inc., 372 Greenbush Rd., Blauvelt, NY 10913-1108 for \$12,040.00 as the lowest responsible bidder, seconded by Trustee Diamond and so approved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Trustee Hindin made a motion that the Board accepts the bid for an emergency generator power system for the DPW by Greenbush Construction Co., 122 Highmount Avenue, Upper Nyack, NY 10960 for \$23,250.00 as the lowest responsible bidder, seconded by

Trustee Diamond and so approved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Aidan Pagano, North Broadway was in the audience observing the Board as part of his Boy Scout Badge project. Mayor Esmay explained to him the procedure for obtaining and accepting bids and why the State requires it to be done.

Review of BIDS:

Pavement Milling (PV-01-2013) & Pavement Resurfacing (PV-02-2013)

Bid Opening, August 14, 2013, 11:00 AM

Bid # PV-01-2013, Pavement Milling

Village of Upper Nyack, Upper Nyack, NY

Those present: Carol G. Brotherhood-Village Clerk, Barry MacCartney-Treasurer, Mayor Michael Esmay

Others identified: No one from the public attended

The Village Clerk read the public Notice to Bidders.

Two (2) sealed bid(s) were (was) received, opened and read aloud as follows:

Bidder

Total

Tilcon New York Inc.
162 Old Mill Road
West Nyack, NY 10994

\$45,082.50

Garrity Asphalt Reclaiming Inc.
22 Peters Road
Bloomfield, CT 06002

\$32,639.73

Bidding was closed at 11:06 AM

Respectfully submitted, Carol G. Brotherhood, Village Clerk

Trustee Hindin motioned the Board accepts the bid by Garrity Asphalt Reclaiming Inc. (as listed above) for bid PV-01-2013, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Bid Opening, August 14, 2013, 11:00 AM

Bid # PV-02-2013, Pavement Re-surfacing

Village of Upper Nyack, Upper Nyack, NY

Those present: Carol G. Brotherhood-Village Clerk, Barry MacCartney-Treasurer, Mayor Michael Esmay

Others identified: No one from the public attended

The Village Clerk read the public Notice to Bidders.

One (1) sealed bid(s) were (was) received, opened and read aloud as follows:

Bidder

Total

Tilcon New York Inc.
162 Old Mill Road
West Nyack, NY 10994

\$60,601.00

Bidding was closed at 11:08 AM

Respectfully submitted, Carol G. Brotherhood, Village Clerk

Trustee Hindin motioned the Board accepts the bid by Tilcon New York Inc. (as listed above) for bid PV-02-2013, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Resolution- Village Justice Court Audit

Trustee Morgan made a motion that the Board review the report and to accept the Justice Court Audit as prepared by Marvin Nyman & Company for the fiscal year June 1, 2012 -May 31, 2013 and further that said Audit and resolution in the minutes be forwarded to the NYS Court Administration, seconded by Trustee Hindin and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Nyack Hospital Foundation

Blow Away Breast Cancer Run & Walk Sunday, October 13, 2013, 8 am to 10:30 am

Trustee Hindin motioned to approve the request for the Nyack Hospital Foundation Blow Away Breast Cancer Run & Walk on Sunday, October 13, 2013, providing they submit proper liability insurance and provide traffic control, seconded by Trustee Morgan and it was so moved. The Clerk will notify appropriate agencies of the event.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Bike MS Fundraiser, Sunday October 6, 2013, 10 am to 4:30 pm

Trustee Hindin motioned to approve the request for the fundraising bike ride on Sunday, October 6, 2013, provided they submit proper liability insurance and provide for traffic control, seconded by Trustee Diamond and it was so moved. The Clerk will notify appropriate agencies of the event.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Motion to Set Public Hearing Date:

Mayor Esmay noted that the current ordinance in Upper Nyack allows eligibility for World War II Veterans. If the Board amends the law it will include other wars. The Board previously discussed the change with the Assessor.

Trustee Morgan made a motion to set a public hearing on September 19, 2013 at 7:30 pm to consider amending Chapter 9 of the 1965 code of General ordinances and adopting Veteran's Exemption Program of the RPTL of the State of NY Section 458-A-Alternative Veteran's, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

DISCUSSION: The Board reviewed a complaint from Teresa Dorritte, 517 North Broadway, regarding the FOR running a summer camp which she feels they are not zoned for. The Board discussed the disorderly conduct law, possible noise ordinance, ways to encourage FOR being a good neighbor, their tax exempt status, and that they are marketing themselves as a commercial enterprise.

Trustee Hindin made a motion to surplus the computer from the Dept. of Public Works, and that the hard drive is wiped clean, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

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

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk