

REGULAR MEETING

March 20, 2008

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, March 20, 2008 at 7:00 PM.

Those present: Mayor Esmay, Trustees Anderson, Diamond, Morgan

Absent: Trustee Sarna

Village Clerk: Carol G. Brotherhood

Village Attorney: Robert P. Lewis Esq.

Village Treasurer: Barry MacCartney

Others identified: PO Barone, Jen Marraccino, Ronnie Rugys, Julie Wendholt, Diana Cutt, Robin Rarrick, Linda Kelly, Heidi Hill, Robert Nevola, Nanda Nevola, Michele Whalen

POLICE REPORTS – Officer Barone noted several fire calls and medical emergencies occurred this month along with some petty larcenies from vehicles. Officer Barone will try to obtain traffic ticket counts.

JUSTICE REPORT - Read and noted.

MINUTES - Regular Meeting – Trustee Morgan motioned to approve with corrections the minutes of 2/28/08, seconded by Trustee Anderson and with no further discussion it was so approved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, Morgan

NOES: 0

ABSENT: Trustee Sarna

TREASURER'S REPORT – Treasure MacCartney presented the report to the Board for their review. The Tentative Budget public hearing will be held on 4/17/08 at the regular meeting. The Treasurer noted that the Orangetown sewer bill shows a 25% increase over last years bill.

The Board discussed authorizing the Mayor to write a letter to the sewer district questioning the increase and specific line items on the 2008 bill.

Trustee Anderson made a motion to authorize the Mayor to contact Orangetown Sewer District in writing to request a fully detailed account of sewer use charges for 2008 and to express the Board's concern for the large increase, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, Morgan

NOES: 0

ABSENT: Trustee Sarna

Treasurer MacCartney also noted that the appraisal or the Route 9W and Roseland Rd.

property should be completed by next week.

VOUCHERS – Read and approved for payment.

ZONE TEXT AMENDMENT-PUBLIC HEARING DATE

Trustee Anderson motioned to rescind the action of the Board of the setting of the public hearing date of April 17, 2008 and to set a **new public hearing date on April 29, 2008 at 7 PM** to be held at the Upper Nyack Elementary School for the proposed Zone Text Amendments, seconded by Trustee Diamond and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, Morgan

NOES: 0

ABSENT: Trustee Sarna

REQUEST FOR STREET CLOSING- UPPER NYACK PTA

The Board of Trustees received a request from the Upper Nyack Elementary PTA to close the street in front of the school to accommodate Earth Day activities.

Trustee Morgan made a motion to approve the request of the Upper Nyack PTA to close North Broadway from Castle Heights Avenue to Lower Birchwood Avenue, on April 16, 2008 between the hours of 9:15 AM until 12:15 PM, and noted that the Certificate of Liability Insurance has been provided naming the Village as additionally insured, access for emergency vehicles must be provided for, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, Morgan

NOES: 0

ABSENT: Trustee Sarna

2008 ELGIN PELICAN SWEEPER SCHOOL

Trustee Anderson motion to authorize William Fay and Bryan Wstervelt of the DPW to attend the Timmerman Equipment 2008 Elgin Pelican P&SE Service Sweeper School between 8:30 AM and 3:00 PM on Thursday, April 17th and to use the village vehicle, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, Morgan

NOES: 0

ABSENT: Trustee Sarna

Mayor Esmay informed the Board and the public that he and Trustee Diamond will be going to Clarkstown to meet with the Clarkstown Police Chief and to begin discussions regarding police protection and goal of updating the formal agreement.

Old agreement is from 1964. They will discuss the idea of having a Constable, hired by the CPD to write tickets and who would always be present in the village.

SIDEWALK-BIRCHWOOD AVENUE

Discussion took place between the Mayor, the Board and residents of Upper Nyack who are concerned with the safety of their children walking along lower Birchwood Ave. to the Upper Nyack Elementary School. They would like a sidewalk installed. They were inquiring whether money had been set aside in the budget for this purpose.

Mayor Esmay noted to residents in the audience, that the budget is extremely tight this year with the village being hit with a 50% increase by the sewer district, and a survey being done to help with the estimate of the actual cost, has not been received.

Jennifer Marraccino, Wyndendown Road, and PTA co-president has looked at the Safe Routes to School Grant and it would have to go through the village. The PTA has been working with the CPD and the School District. The grant is due in April and there may not be time to get it done. Had been working with Trustee Sarna but he indicated he could help but did not have time to do the grant.

Mayor Esmay will check with Trustee Sarna to see what he has done. The Mayor will also check with Morahan's office to see if a meeting can be set up to discuss funding the project. The Mayor also noted that the Board is committed to the idea of the sidewalk and will have to wait for the survey and cost estimates to have a real idea of what can be done.

ROSELAND ROAD/ROUTE 9W PROPERTY-Ronnie Rugys, Glenbrook Rd., came to inquire about the village owned property on Route 9W and Roseland Rd. and what will be done with it. There are other concerned residents, neighbors of hers, who are away this week and could not attend the meeting.

Mayor Esmay said the village could sell it and the new owner could apply for commercial use.

Ms. Rugys said she had heard lots of rumors but wanted to know what the Board's ideas were?

Trustee Morgan noted there are no active proposals for that lot.

Ronnie Rugys feels there is pressure to do something with this land.

Mayor Esmay indicated that it is the consensus of the current Board to subdivide into 4 buildable lots with a conservation easement for the stream.

9:20 PM EXECUTIVE SESSION- Trustee Morgan made a motion and Trustee Sanderson seconded to allow the Mayor and Board to move into executive session to discuss a potential lawsuit. The Board discussed a letter received by the Village from Julius Petersen Inc.

Trustee Morgan made a motion to end the Executive Session and adjourn the regular meeting at 9:30 PM, seconded by Trustee Diamond and it was so moved.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk