

REGULAR MEETING

April 17, 2008

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, April 17, 2008 at 7:00 PM.

Those present: Mayor Esmay, Trustees Anderson, Diamond & Morgan
Village Clerk Carol G. Brotherhood, Village Attorney Lewis, Village Treasurer Barry MacCartney

Others identified: PO Landry, CPD, William Fay-Supervisor of Public Works, Laurie Peek, Peggy Kurtz, Deborah Turner, Thomas Daly, Gil Ben Meir, Art Gunther

POLICE REPORTS – Read and noted. PO Landry presented the reports to the Board. CPD did their own investigation of the school crossing guard at Birchwood and Broadway and found cause to suspend her without pay. A hearing is to be held. Subs and Police Officers are covering the crossing for now.

Mayor Esmay noted to Officer Landry that there has been a greater police presence since the Mayor spoke with Chief Noonan.

JUSTICE REPORT - Read and noted.

MINUTES –

Regular Meeting 3/20/08 – Trustee Morgan made a motion to accept the minutes of March 20, 2008, seconded by Trustee Anderson and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, & Morgan

NOES: None

ABSENT: Trustee Sarna

Annual Meeting 4/7/08 – Trustee Anderson made a motion to accept the minutes of April 7, 2008 meeting with no corrections or changes, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond, & Morgan

NOES: None

ABSENT: Trustee Sarna

DISCUSSION – Old Stone Church - Trustee Anderson noted that the committee had begun drawing up policies for the use of the building some of which included no charge for use to Upper Nyack residents but must give deposits. For Non-residents (weddings etc.) there will be a \$250 deposit.

Any organization must provide a Certificate of Insurance.

The Mayor asked each Trustee to take and review for the next workshop meeting.

7:30 PM Tentative Budget- Public Hearing

The Mayor opened the public hearing and noted that the Board was looking to approve by Mid-May. The Village Clerk read the public hearing notice.

The Mayor explained that the Board would discuss the proposed budget for 2008-2009. Mayor Esmay noted that all Boards (Village, Planning, Zoning & Architectural Review) continue to serve unpaid.

Treasurer MacCartney noted the following items re: the proposed budget:

- Proposed spending is \$1,384,150
- Projected spending increase is \$65,650
- Sewer Contract has increased 50% which will drive the tax rate up 12.2%
- The cost 6.97 cents per thousand of assessed value

These costs cause other projects to be delayed.

Mayor Esmay opened the meeting to the public for comments. There were no comments from the public.

Trustee Morgan made a motion to close the public hearing which was seconded by Trustee Diamond and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond & Morgan

NOES: None

ABSENT: Trustee Sarna

SIERRA CLUB – US MAYOR'S CLIMATE PROTECTION AGREEMENT

Peggy Kurtz, a resident and Sierra Club member came before the Board to request that the Mayor sign the Mayor's Climate Protection Agreement which is a non-binding pledge and a commonsense commitment to reduce greenhouse gases by 7% by the year 2012. Ms. Kurtz feels this is valuable as a public statement to the residents of Upper Nyack. Some of the ways that Upper Nyack can participate and help are:

1. Organize a green committee of citizens
2. Energy efficient steps – Participate in an energy audit (NYSSIR)
3. Shutting down computers and lights when not in use
4. Make double sided copies
5. Modification or amendment of things beyond the code, incentive given (permit expedited)
6. Publicize the NO IDLING law

Also the Board can use volunteers to do the work in the village and endorse the agreement. The village can also publicize the steps already taken.

If you do an energy audit, the cost is refunded once you begin to implement the measures.

Trustee Anderson made a motion to authorize the Mayor to sign the US Mayor's Climate Protection Agreement, which will be signed at a ceremony in Nyack on Earth Day, April 26, 2008, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Anderson, Diamond & Morgan

NOES: None

ABSENT: Trustee Sarna

Mayor Esmay asked William Fay, Supervisor of Public Works to attend tonight's meeting and may do so once or twice a year.

Supervisor Fay noted that the DPW will be working on replacing berms and asphalt damaged during snowplowing. O&R has contacted him about replacing major gas lines with low pressure lines. Mr. Fay noted that on North Midland Ave. the curbing is too low in some locations and if repaved the roadway may end up being higher. Also water pipes in this area are old cast iron.

O&R is going to be taking out 8-9 trees that are dead or decaying. Some will just be limb removal. Trustee Morgan thought it would be a good idea to mark those trees so it would serve as a visual notice to residents that something is about to happen.

TREASURER'S REPORT – Read and noted.

Treasurer MacCartney noted that he had filed for CHIPS money but will not receive it until June.

Trustee Anderson made a motion that, due to the new contract with Orangetown Sewer District, the Sewer Replacement Reserve Funds be eliminated with said proceeds to be released to the General Fund, for general operating expenses, pending an opinion by the Village Attorney, seconded by Trustee Diamond and after a lengthy discussion, it was so moved. On a call for a vote:

AYES: Mayor Esmay, Trustees Anderson, Diamond and Morgan

NOES: None

ABSENT: Trustee Sarna

VOUCHERS – Read and approved for payment.

REQUEST FOR STREET CLOSING

Trustee Morgan made a motion that North Broadway be closed between Castle Heights Avenue and Birchwood Avenue for the Upper Nyack Elementary PTA Goosetown Bazaar from 10:30 am until 4 pm on Saturday, May 31, 2008 and that they provide a Certificate of Insurance naming the village as additionally insured, seconded by Trustee Anderson and so approved.

AYES: Mayor Esmay, Trustees Anderson, Diamond & Morgan

NOES: None

ABSENT: Trustee Sarna

The Village Clerk will send a letter notifying the residents of North Broadway, Perry Lane, Tompkins Court and lower Castle Heights Avenue of the closing. The Clerk will also notify the Clarkstown Police liaison officer so that auxiliary police can be provided. The Village of Upper Nyack DPW will supply saw horses to block off the street.

Trustee Anderson made a motion to adjourn seconded by Trustee Morgan and so moved

at 9:55 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk