

REGULAR MEETING

July 17, 2008

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

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

Absent: Trustees Morgan & Sarna

Other's identified: PO Landry CPD, Peter Malcolm

POLICE REPORT – Read and noted. Officer Landry noted that there were more than 10 larcenies from vehicles. All but two of the vehicles were unlocked. A suspect has been arrested. With 13 total larcenies during June the Special Operations/Tactical Control force is working with Detectives on the larcenies.

JUSTICE REPORT – Read and noted.

Peter Malcolm, former Trustee on the Board, 119 Birchwood Avenue, came before the Board to discuss a larceny at his house. A car was broken into. It was the second break-in on his property. Mr. Malcolm wanted to discuss coverage by the Police. Upper Nyack is not a high traffic area and this, he feels, is used as an excuse for lack of coverage. Mr. Malcolm referred to a 1964 agreement between Clarkstown & Upper Nyack. It is not the same village as back then with an increase in people and traffic. When there are a rash of burglaries the Clarkstown Police should communicate with the residents alerting them of this. Mr. Malcolm's experience was that not enough attention was paid to his situation. Car 216 is supposed to cover Upper Nyack. He feels there should be more coverage especially between 2 and 3 AM.

Mayor Esmay stated that about two months ago, the Mayor and Trustee Diamond met with Supervisor Gromack and Chief Noonan. Mayor Esmay feels there is more coverage, visible to him.

PO Landry said that car 216 is assigned to Upper Nyack as the main area of patrol but the car can be on other calls. Even if the village was to establish its own force again, Clarkstown Police Dept. would still respond as Mutual Aid.

There was discussion of a Constable who has full police training and powers but only within the jurisdiction of the Village.

Trustee Anderson questioned whether CPD could gather data on Car Tracker as to when 216 is in Upper Nyack?

Officer Landry will check. Not sure.

Mayor Esmay thanked Officer Landry for his time.

Mayor Esmay noted that due to the fact that two Trustees were unable to attend tonight that several items on the agenda would be tabled until the next Regular Meeting as follows:

Minutes of the regular meetings of 5/15/08 and 6/19/08 and the Farm Alliance Resolution.

TREASURER'S REPORT – Treasurer MacCartney presented the Monthly and the Year End report to the Board. Read and noted.

The Board discussed the sale of the village property on Route 9W. Treasurer MacCartney noted that Rockland Realty has sent information to prospective buyers who have inquired about the property.

The Board also discussed noise and dust created by the use of leaf blowers, hedge trimmers, lawn mowers etc. The Board would like to consider an ordinance that would limit the time when these devices could be used. Further research wanted.

Timmerman will pick up the sweeper on 7/18/08 to evaluate and hopefully repair it.

The Mayor and Treasurer spoke with William Fay about a new truck. State bid price (\$125,000.00) can be locked in now with an order of a new truck but the vehicle won't be ready until March 2009.

VOUCHERS – Read and approved for payment.

Trustee Anderson made a resolution to surplus the 11 foot plow from the International, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Anderson & Diamond

NOES: None

ABSENT: Trustees Morgan & Sarna

The Board received a request from the Fellowship of Reconciliation to put up a sign but the request was sent to Upper Nyack by mistake since they wanted to place the sign on Main Street which is located in Nyack. Village Clerk will send a letter advising them.

REQUESTS:

Hudson River Kids Summer Discovery Program/Ann Donzella Owens

Board felt request not clear as to what public property they wanted to use. Clerk will call to clarify.

Volkssport Walking Club- Trustee Anderson made a motion that the Volkssport Club of West Point be allowed to continue its annual 5K/10K walk, acknowledging they have provided they have provided a Certificate of Insurance, and subject to amending their certificate to include routes in Upper Nyack, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Anderson & Diamond

NOES: None

ABSENT: Trustees Morgan & Diamond

(NOTE: The Village Clerk sent a copy to our insurance carrier regarding the Certificate and it was deemed it would cover Upper Nyack without any changes)

DRAINAGE PROJECTS-

Mayor Esmay noted to the Board that he had discussed two simple drainage projects with the village engineer that require perforated pipe installation. Bid documents would have to be drawn up.

Trustee Diamond made a motion to authorize Dennis Letson, Village Engineer, to prepare bid packages for:

a) Maple Avenue

b) Larchdale Ave. Outfall

seconded by Trustee Anderson and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Anderson & Diamond

NOES: None

ABSENT: Trustees Morgan & Diamond

Village Attorney Lewis noted several items that he has been reviewing for the Village. Riverton (formerly Courtyard) -

Sidewalk. There appears to be a dispute between the school district and Wilder Balter Partners (contractors) regarding the cost to repair the sidewalk. The permitting Engineer for the State DOT has given a permit for the curb cut but not for sidewalk until the dispute is settled.

Belgian Block – Requested to place begin block curbing on the road. After a brief discussion the Board agreed that it will be considered by the Planning Board for the site. No further approval by the Board.

Lighting – No antique lighting will be used because it would not be covered by the lighting district and would have required a separate special contract. The lights will be placed on each homeowners property and the homeowners will be responsible.

Paper Street Purchase – There is a request for the purchase of a paper street on Glen/Elm St.. Attorney Lewis has discussed this with the homeowners attorney and will request \$5000 be placed in a Special Account to cover the cost of the survey, preparation of the deeds etc. It will be noted that a condition of the purchase will be that no further subdivision of the lot may be requested in the future.

No workshop meeting will be held on Thursday, August 28, 2008.

Trustee Anderson made a motion to adjourn, seconded by Trustee Diamond and so moved. The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk