

## REGULAR MEETING

April 19, 2007

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, April 19, 2007 at 7:00 PM.

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

**Others identified:** Detective King, CPD

POLICE REPORTS – Read and noted. Det. King noted that 17 V&T were issued last month. There were 51 calls for service to the village among those being 6 missing persons, 6 medical emergencies, 6 fire alarms, 4 traffic accidents. The most serious was an attempted robbery with the offenders apprehended.

The Board requested traffic counters to be placed on Lower Birchwood, Lower Highmount and Castle Heights.

Det. King also notified the Board that the grant cycle for grants to purchase speed trailers or speed signs was coming up. Contact Rosie Jackson.

JUSTICE REPORT - Read and noted.

### MINUTES –

**Special Meeting 12/28/07-** Trustee Malcolm made a motion to accept the minutes of the Special meeting of December 28, 2006, seconded by Trustee Anderson and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Anderson & Malcolm

NOES: None

Not in attendance at the meeting: Trustees Morgan & Tarapata

**Regular Meeting 2/15/07 –** Trustee Morgan made a motion to approve the minutes of February 15, 2007 with no corrections or changes, seconded by Trustee Anderson and so moved.

AYES: Trustees Morgan, Malcolm and Anderson

NOES: None

Not in attendance at the meeting: Mayor Esmay & Trustee Tarapata

**Regular Meeting 3/15/07 –** Trustee Morgan made a motion to approve the minutes of March 15, 2007 with no corrections or changes, seconded by Trustee Anderson and so moved.

AYES: Mayor Esmay, Trustees Morgan, Malcolm and Anderson

NOES: None

Not in attendance at the meeting: Trustee Tarapata

**Annual Meeting 4/2/07 –** Trustee Morgan made a motion to accept the minutes of the Annual meeting of April 2, 2007, as corrected, seconded by Trustee Anderson and so

moved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm & Morgan

NOES: None

Not in attendance at the meeting: Trustee Tarapata

VOUCHERS – Read and approved for payment.

#### 7:30 PM Tentative Budget- Public Hearing

The Mayor opened the public hearing and the Village Clerk read the public hearing notice.

The Mayor explained that the Board would discuss the proposed budget for 2007-2008. No one from the public was in attendance.

Trustee Tarapata made a motion to close the public hearing which was seconded by Trustee Morgan and so moved.

The Board discussed the various items and it was noted that the final figure from town of Orangetown Sewer District is not yet available.

After discussion, the Board voted to wait for the amount to be paid to the Orangetown Sewer District before adopting the final budget.

Trustee Tarapata made a motion that the Board of Trustees adopt the Tentative Budget subject to final possible adjustment when the Orangetown Sewer Contract costs are known, seconded by Trustee Anderson and with no further discussion, it was so moved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm, Morgan & Tarapata

NOES: None

After a brief discussion of the recent assessments of the roofs of the village hall and the Old Stone Church buildings, the Board granted its approval to Trustee Anderson to sign the contract for the work by Frank J. Tucek & Sons, Inc. Roofing.

RUBBISH REMOVAL CONTRACT – the Village Clerk noted that after sending out bid notices to 14 qualified carters in Rockland county, only one sealed bid was received.

Trustee Malcolm made a motion to accept the bid for Rubbish Removal from June 1, 2007 to May 31, 2010 from Carlo Minuto Carting Inc. for \$545,424.00, to be paid in equal monthly installments, seconded by Trustee Tarapata and so moved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm, Morgan & Tarapata

NOES: None

Employee Guidelines – The Board discussed modifications to the employee guidelines that would put in writing policies that are currently used. After a brief discussion the Board decided that alternate language would be researched so appropriate wording would be used for the section on Overtime 3. “Call Out” and Non-Work Related Illness or Injury to be added.

Public Hearing- Local Law #1 of 2007 – The Board has been in the process of researching ways to better control drainage and maintenance of streams in the village. Trustee Morgan made a motion that the Board of Trustees set a public hearing date of May 17, 2007 to discuss local law #1 of 2007 that will be known as “ Upper Nyack Stream Conservation and Universal Flow Control Act, “ seconded by Trustee Anderson and with no further discussion, it was so moved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm, Morgan & Tarapata

NOES: None

Request to place stone wall in right-of-way

200 Oak Hill Drive at North Midland Avenue

Mr. DiGiacomo of Olivia Rose Landscaping Contractors Inc., came before the Board representing David & Tara Stark to request the approval to place a stone wall in the village right-of-way. Mr. DiGiacomo noted that the survey may not be correct. The Board agreed they would need a correct survey with corners of the property staked and would need to check with the fire District about at what distance the wall would be required to be from the fire hydrant.

Mr. DiGiacomo would discuss with his client the issues raised and suggest the homeowner place it on his property line.

Other Business:

Robert P. Lewis, the Village Attorney, discussed with the Board applications that have been going through the review process with the Planning Board or Zoning Board such as Omnipoint (cell tower) use variance; Courtyard at Upper Nyack was granted preliminary approval for a 20 lot subdivision.

Trustee Anderson made a motion to adjourn seconded by Trustee Tarapata and so moved at 9:40 PM.

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk