

REGULAR MEETING

July 19, 2007

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

Those present: Mayor Esmay, Trustees Anderson, Malcolm, Morgan and Tarapata;
Village Clerk Carol G. Brotherhood, Treasurer MacCartney

Other's identified: PO Landry CPD, Tara Stark, Lee Taylor, Russell Beck Jr.

POLICE REPORT – Read and noted. 44 summons were written; 20 written in overnight hour. Traffic Counters will be put in place last week of August and after school begins. Traffic Officers were notified of No Left Turn at Glen Ave. & Rt. 9W

JUSTICE REPORT – Read and noted.

Tara Stark, 200 Oak Hill Drive – Ms. Stark appeared before the Board to request approval to place a stone wall in the village right-of-way. A landscape contractor has appeared twice before on their behalf. The Board voted previously (3 to 1 against) to not approve the request.

The homeowner would still like the Board to consider the request. They want to create a barrier to keep their children from entering the street if chasing a ball.

Trustee Morgan noted the right-of-way is public property for municipal purposes.

Trustee Anderson thinks a rock wall is a massive structure that would be difficult to move.

Mayor Esmay tried to understand the reasoning. Why in the right-of-way?

Trustee Malcolm noted that there are other areas in the village where things have been built in the right of way and has led to problems. An example is lower Birchwood Ave. The Board is considering a sidewalk in the future and steps and pillars and trees have been placed in the right-of-way and will have to be removed.

Mayor Esmay also noted that the right-of-way is really a walkway for the public.

The Board decision stands. No to building a stone wall in the R.O.W.

Lee Taylor, 422 Glen Avenue- Request to remove guardrail.

Mayor Esmay noted that the former Superintendent of Public Works was not in favor but new Supervisor is in favor, so it will be reviewed. Mayor asked Supervisor to look at the area and report back.

Lee Taylor appeared before the Board regarding a previous request to move the guardrail at the end of Glen back so the snow plowed into that area in winter does not block their front steps.

Mr. Russell Beck, 419 Glen Avenue, has resided there for 18 years. Wants the area to stay green. Does not want pavement extended if Guardrail is removed. Also would like the fence section that was removed from along parking lot of restaurant replaced.

Mr. Beck commended the service of Mr. Scanlan and was sorry to see him go.

Mr. Beck was also concerned about the drain that is in place at the dead end. Would not want its operation compromised.

Trustee Tarapata would like to reach a compromise that is amenable to both neighbors.

Mayor Esmay stated that he would want to wait for the report and recommendation from the Supervisor of PW before coming to a decision.

Mr. Beck requested that he be a part of any on-site meeting that takes place so he can have his concerns considered.

TREASURER'S REPORT – Read and noted.

Discussion: Bids for painting village hall.

Trustee Malcolm made a motion to authorize the expenditure of up to \$20,000.00 for painting and repairs of village hall, seconded by Trustee Morgan and so moved.

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

NOES: None

VOUCHERS – Read and approved for payment.

Executive Session-

Mayor Esmay discussed with the Board his meeting with DPW employees regarding cost of living raises, implementation of longevity points and other duties since Mike Scanlan has retired.

Trustee Tarapata made a motion to establish the position of Supervisor of Public Works, seconded by Trustee Morgan and so moved.

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

NOES: None

Trustee Tarapata made a motion to ratify the appointment of William Fay for the Supervisor of Public Works position, seconded by Trustee Morgan and so moved.

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

NOES: None

After discussion regarding conflict of interest, Trustee Tarapata made a motion to establish the position of Deputy Zoning Inspector PT, seconded by Trustee Anderson and so moved.

AYES: Mayor Esmay, Trustee Anderson, Malcom, Morgan and Tarapata

NOES: None

MINUTES – Trustee Anderson made a motion to accept the minutes of the Regular meeting of 6/21/07, seconded by Trustee Malcolm and so moved.

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

NOES: None

ABSTAIN: Trustee Morgan (not in attendance at meeting)

NYACK HOSPITAL FOUNDATION – 17TH Annual 10k Run and 5k Walk

Trustee Morgan made a motion that the Board of Trustees approve the request of the Nyack Hospital Foundation for their annual 10k run and 5k walk to be held on November 17, 2007 from 8 am until 12 noon, contingent upon receipt of their Certificate of Insurance, seconded by Trustee Tarapata and so moved.

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

NOES: None

INTER-MUNICIPAL RECYCLABLES MANAGEMENT AGREEMENT

between Rockland County Solid Waste Management and the Village of Upper Nyack

Trustee Anderson made a motion that the Village of Upper Nyack enter into an agreement with the Rockland County Solid Waste Management Authority regarding recyclables and to allow the Mayor to sign said agreement, seconded by Trustee Tarapata and so moved.

On a call for a vote:

AYES; Mayor Esmay, Trustees Anderson, Malcolm, Morgan and Tarapata.

NOES: None

Cantor- Refund Request -

Trustee Anderson made a motion to issue a refund of \$950 to David & Elizabeth Cantor of 302 Ellen Street, upon fulfilling the requirements for their final Certificate of Occupancy by 7/16/07, seconded by Trustee Morgan and so moved.

AYES; Mayor Esmay, Trustees Anderson, Malcolm, Morgan and Tarapata.

NOES: None

Bottrill- Parking Request -

The Board discussed a request from Bridget Bottrill to allow event-related parking in front of her house at 109 Larchdale Ave. Since there is no parking allowed at anytime, the Board denied the request and suggested the homeowner contact Marydell about parking on that property or find on street parking where it is allowed and shuttle guests to the party.

OLD STONE CHURCH – Trustee Anderson reported to the Board that his committee on the Old Stone Church had met and were formulating ideas for fund-raising events such as commemorative bricks etc. The Board discussed improvements and what kinds of functions would happen.

Trustee Tarapata made a motion to adjourn seconded by Trustee Malcolm and so moved. The meeting was adjourned at 9:25 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk