

REGULAR MEETING  
September 20, 2007

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, September 20, 2007 at 7:00 PM.

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

**Absent:** Trustee Malcolm

**Others identified:** PO Landry, CPD; Valencia Douglas-Nyack Union Free School District

Valencia Douglas, Superintendent of the Nyack School District, came before the Board to discuss school safety issues. Ms. Douglas presented the Board with a letter which she read, that specifically addressed those concerns. The request included traffic calming measures such as 1) marking on the roadway 2) traffic signs (school zone, school crossing, school bus stop).

The Board assured Ms. Douglas that this has been a topic that has been widely discussed and that the Board has great concern for. Many measures have been taken to increase safety at all school crossings, along North Midland Ave. and near the elementary school. Village Attorney Lewis noted to Ms. Douglas that the village could use the district's help in keeping the retention pond that is on the high school property, clear and clean. Trustee Tarapata stated that she has been working with Carleen Milsaps and has been waiting for design drawings for the pond.

MINUTES – Trustee Morgan motioned to accept the minutes of the **8/23/07 Regular meeting**, seconded by Trustee Anderson, so moved.

AYES: Mayor Esmay, Trustees Anderson & Morgan

NOES: None

ABSENT: Trustee Malcolm

DID NOT VOTE (absent last meeting): Trustee Tarapata

TREASURER'S REPORT – Read and noted.

Trustee Tarapata made a motion to allow the Treasurer to make adjustments within the confines of the budget, seconded by Trustee Anderson and so moved.

**\$6,970.00** From A1910 Contingency to A5110.5805 New DPW Solar Panels

AYES: Mayor Esmay, Trustees Anderson, Morgan & Tarapata

NOES: None

ABSENT: Trustee Malcolm

Painting Village Hall: Trustee Tarapata made a motion to accept the proposal to paint the Village Hall for \$15,000 by Paper Moon with submission of Worker's Compensation

Insurance, Rockland county Home Improvement License and Insurance, seconded by Trustee Tarapata and so moved.

AYES: Mayor Esmay, Trustees Anderson, Morgan & Tarapata

NOES: None

ABSENT: Trustee Malcolm

VOUCHERS – Read and approved for payment.

Discussion: Roseland Road property-Treasurer MacCartney contacted NYCOM and was told there is no statute that prohibits the selling of village-owned property. The Board will get an appraisal of the property and Treasurer MacCartney will coordinate the process.

*Old Stone Church* – Trustee Anderson noted that a survey and report of the electrical system will be done in the near future.

POLICE REPORTS – Read and noted. Officer Landry noted that their computer system is still not fixed. Not able to retrieve the data the way the Board wants it.

PO Landry noted that 69 tickets were written.

The traffic analysis was completed and submitted for Board review.

Officer Landry reviewed laws in place in Clarkstown for Noise which he discovered does not include Upper Nyack. Peddler's are covered under the Town of Clarkstown and Upper Nyack (Businesses to Be Licensed)

JUSTICE REPORT - Read and noted.

Appointment: After a brief discussion where it was noted that the application was reviewed and approved by the Rockland County Dept. of Personnel, Trustee Tarapata made a motion to appoint Christopher Gessel as Laborer for the DPW, seconded by Trustee Morgan and so moved and with no further discussion and a call for a vote:

AYES: Mayor Esmay, Trustees Anderson, Morgan & Tarapata

NOES: None

ABSENT: Trustee Malcolm

### **Cornell University Cooperative Extension- 2007 Stormwater II Education Program Agreement:**

Trustee Tarapata made a motion to accept the agreement with Cornell Cooperative Extension and agree to spend \$1000 to meet the requirements of the EPA Phase II Stormwater regulations, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Anderson, Morgan & Tarapata

NOES: None

ABSENT: Trustee Malcolm

In the near future the Board of Trustees will discuss and consider amending and /or adopting a noise ordinance, sign ordinance and the numbering of houses ordinance.

Village Attorney Lewis discussed actions of the Planning Board regarding the Courtyard at Upper Nyack project. Final approval of the subdivision is close to being granted. The applicant would like to install antique lighting not the standard cobra head lights. It

was determined that the applicant should contact the Consolidated Lighting District in Clarkstown for information and how to proceed.

Also it was noted that various legal documents will be created that will require Resolutions by the Village Board for Deed of Dedication, and various easements regarding drainage and sewer.

PUBLIC HEARINGS TO BE SET:

Trustee Tarapata made a motion to set a public hearing date on 10/18/07 to amend Article V Section 16:66 Standard Schedule of Fees of the 1962 Zoning Ordinance of the Village of Upper Nyack, seconded by Trustee Morgan and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Anderson, Morgan and Tarapata

NOES: None

ABSENT: Trustee Malcolm

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

The meeting was adjourned at 9:35 PM.

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk