

REGULAR MEETING

November 15, 2007

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, November 15, 2007 at 7:00 PM.

Those present: Mayor Esmay, Trustees, Anderson, Malcolm and Morgan, Village Clerk Carol G. Brotherhood, Village Attorney Robert P. Lewis, Village Treasurer Barry MacCartney (absent), Trustee Tarapata (absent)

Others identified: PO Landry (CPD), Jennifer Marraccino, Laurie & Jock DeCamp, John Dedyo, Carl Wortendyke, Katherine Heider, Teresa Dorritie

POLICE REPORTS – Read and discussed. PO Landry spoke to Sgt. Baumann re: the request by the residents for more enforcement. A car is always assigned to Upper Nyack. Trustee Malcolm feels the agreement with the Town and Village needs to be revisited and that the village has had many changes since 1964.

JUSTICE REPORT – Read and noted.

POLICE REPORTS-DISCUSSION -

Jennifer Marraccino, Wynddown Rd., questioned the Board and Officer Landry about the feasibility of closing Broadway on Halloween night for 2-3 hours.

Mayor Esmay said the request must be in writing to the Board 1-2 months prior to Halloween.

Ms. Marraccio noted that the PTA has been sending letters and complaints to Clarkstown Supervisor Gromack and the Clarkstown Police Dept. noting that the PTA feels the current crossing guard is not aware of children's safety in the area and not safe with traffic, nearly causing some accidents. Jennifer Marraccino stated that she has been reporting this for two months to the CPD. The crossing guards are hired by the Town of Clarkstown as a civil service position. A second guard was added when parents complained but the original crossing guard was retained.

Village Attorney Lewis suggested that the parents get signatures on a petition and submit it to the Town of Clarkstown and the Clarkstown Police Dept.

Mayor Esmay again noted that he would be meeting with Supervisor Gromack on Nov. 29, 2007.

It was also suggested that Jennifer Marraccino call Shirley Lasker (Town Board) or John Mandia (Town Board and Police Board).

EXTENSION OF MORATORIUM-

Trustee Morgan made a motion that the Board of Trustees hold a public hearing on December 20, 2007 at 7:30 pm to consider extending Local Laws #2, 3 & 4, the Temporary Moratorium on construction of Wireless Communication Facilities, Places of Worship & Places of Assembly, and Private Schools and Clubs for 6 months pending

review and amendment of the Comprehensive Plan and Zoning code pertaining to said subject matter, seconded by Trustee Malcolm and so moved. On a call for a vote:

AYES: Mayor Esmay, Trustees Malcolm, & Morgan

NOES: None ABSENT: Trustee Tarapata

NYACK HOSPITAL FOUNDATION 10K RUN & 5K WALK -

This item was approved at the July 19, 2007 regular meeting of the Board and was noted that the Certificate of Insurance has been received and all parties notified as required. The event will take place on Saturday, November 18, 2007.

TREASURER'S REPORT – Treasurer MacCartney was not in attendance. The report was not available.

VOUCHERS – Read and approved for payment.

MINUTES –Trustee Morgan made a motion to accept the minutes of the **10/18/07 Regular meeting as corrected**, seconded by Trustee Malcolm and so approved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm & Morgan

NOES: None ABSENT: Trustee Tarapata

OTHER BUSINESS:

Trustee Malcolm noted that Mayor Esmay has set up a meeting with Supervisor Gromack, Chief Noonan-CPD, and Mayor Esmay and Trustee Malcolm on November 29, 2007 to discuss the agreement from 1964 that is still in place today. The agreement was done during the tenure of Mayor Jewett. Multiple changes have taken in the village since that original agreement that the Mayor & Board feel need to be looked at which include population at the elementary school, all traffic reports from the last 5 years, crossing guards and police officers hours spent in the village.

The Board will ask the village attorney to draw up a new agreement with the town attorney to address these issues.

Trustee Malcolm will get input from other Board members to take to the meeting.

Trustee Anderson noted to the parents in the audience that they do have the support of the Board, that the Board is listening. Maybe a letter of support from the Board would be good.

Jennifer Marraccino thanked the Board for having the curbing near the Old Stone Church painted yellow but parents are still parking there. Ms. Marraccino also inquired why they painted it to far towards Tompkins Court?

Mayor Esmay has authorized Robert Sorace PLS to survey the south side of lower Birchwood Avenue to obtain information regarding the sidewalk project.

Someone in attendance at the meeting inquired whether the Mayor and Board had ever considered making lower Birchwood and Old Mountain Rd. one way?

Trustee Anderson spoke to the audience noting that the Board has long discussed traffic issues. At some point speed bumps may have to be considered on North Broadway near the elementary school. This may serve to slow traffic or keep traffic on 9W while avoiding Broadway. School zone markings and modifying parking in the area may also be considered in the future.

ZONE TEXT AMENDMENT:

Trustee Anderson made a motion to rescind the resolution to hold a public hearing on November 29, 2007 at 7:30 PM to consider the Zone Text Amendment for Places of Assembly or Worship, Wireless Communication Facilities and Private schools and clubs, and seconded by Trustee Morgan and with no further discussion and a call for a vote:

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

NOES: None

ABSENT: Trustee Tarapata

A discussion between residents and the Board regarding the legislation for the zone text amendment took place.

Mayor Esmay noted to the Board that with the recommendation of NYCOM, the Mayor has authorized the Treasurer to hire an appraiser to appraise the village property at Route 9W and Glenbrook Road.

Mayor Esmay wanted to acknowledge Trustee Malcolm at his last official meeting and noted Trustee Malcolm was "One hell of a guy!" who gave six years of service to the Village of Upper Nyack

Trustee Anderson made a motion to adjourn the meeting in honor of Trustee Malcolm for his long hours of dedicated service to the Village of Upper Nyack, proudly seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Anderson, Morgan & Malcolm

NOES: None

ABSENT: Trustee Tarapata

The meeting was adjourned at 9:10 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk