

REGULAR MEETING

April 16, 2009

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, April 16, 2009 at 7:00 PM.

Those present: Mayor Esmay, Trustees Diamond, Hindin & Morgan
Village Clerk Carol G. Brotherhood, Village Attorney Lewis, Village Treasurer Barry MacCartney

Absent: Trustee Sarna

Others identified: PO Landry, CPD

POLICE REPORTS – Read and noted. Discussion re: speeding (Route 9W) and larcenies at the high school. No major incidents occurred.

JUSTICE REPORT - Read and noted.

MINUTES –

Regular Meeting 3/19/09 – Trustee Diamond made a motion to accept the minutes as corrected, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, & Morgan

NOES: None

ABSENT: Trustee Sarna

ABSTAIN: Trustee Hindin

Annual Meeting 4/6/09 – Trustee Morgan made a motion to accept the minutes of April 6, 2009 annual meeting with no corrections or changes, seconded by Trustee Diamond and so moved.

AYES: Mayor Esmay, Trustees Diamond, & Morgan

NOES: None

ABSENT: Trustee Sarna

ABSTAIN: Trustee Hindin

TREASURER'S REPORT – Read and noted.

VOUCHERS – Read and approved for payment.

7:30 PM Tentative Budget- Public Hearing

The Mayor opened the public hearing and noted that the Board was looking to approve by Mid-May. The Village Clerk read the public hearing notice. No one from the public was in attendance.

The Mayor explained that the Board would discuss the proposed budget for 2009-2010. Mayor Esmay noted that the sewer expense was necessary. Treasurer discussed obtaining a bond to offset sewer repair costs

Trustee Morgan made a motion to close the public hearing which was seconded by Trustee Hindin and with no further discussion it was so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Trustee Morgan made a motion to adopt the Tentative Budget for 2009-2010, seconded by Trustee Hindin and with no further discussion, it was adopted.

On a call for a vote:

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

PUBLIC HEARING Local Law #1 of 2009 –

7:30 PM Public Hearing –

Local Law # 1 of 2009 – Amending Ordinance 2.2(e) Parking of Vehicles

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

Mayor Esmay noted that Chief Noonan of the Clarkstown Police notified the village that Clarkstown would be reprinting tickets and inquired if Upper Nyack would be making any changes to fees?

Trustee Morgan made a motion to open the public hearing to adopt Local Law # 1 of 2009, “Parking of Vehicles”, seconded by Trustee Hindin and so moved.

After a brief discussion regarding what changes would be made, Trustee Morgan motioned to close the public hearing and call for a vote, seconded by Trustee Hindin and the vote was as follows:

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

REQUEST FOR STREET CLOSING

Trustee Morgan made a motion that North Broadway be closed between Castle Heights Avenue and Birchwood Avenue for the Upper Nyack Elementary PTA Goosetown Bazaar from 10:30 am until 4 pm on Saturday, May 16, 2009 and that they provide a Certificate of Insurance naming the village as additionally insured, seconded by Trustee Hindin and so approved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

The Village Clerk will send a letter notifying the residents of North Broadway, Perry Lane, Tompkins Court and lower Castle Heights Avenue of the closing. The Clerk will also notify the Clarkstown Police liaison officer so that auxiliary police can be provided. The Village of Upper Nyack DPW will supply saw horses to block off the street.

Village Attorney Lewis noted to the Board that the Planning Board had discussed the hiring of a consultant to assist the Planning Board in the review of the landscape plan for Riverton Development (formerly Courtyard) and the village would pay the landscaper and Riverton would reimburse the village upon submission of a bill to Riverton.

The Planning Board wishes to retain the services of landscape architect, Stephen Yarabeck ASLA, SURPMO of Hudson & Pacific Designs.

Village Attorney Lewis further noted that a Tech Committee would be set up comprised of Robert Geneslaw, Dennis Letson, William Pfaff, Mr. Yarabeck and a representative of Riverton.

Trustee Morgan made a motion that the village authorize Mayor Esmay and the Board to contract the services of Stephen Yarabeck, Landscape Architect, for projects under review by the Planning Board seconded by Trustee Diamond and so moved.

After discussion and a call for a vote:

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

The Village Clerk was instructed to request a fee schedule and a letter of engagement from Mr. Yarabeck.

Stipulation of Settlement

Trustee Morgan made a motion that the Board of Trustees authorize Mayor Esmay to sign the Settlement of the claim on the Old Stone Meeting House made by the "Greater New Jersey Annual Conference of the United Methodist Church" in the amount of \$16,000 to be paid in two payments, ending July 1st, 2010, seconded by Trustee Diamond and with no further discussion it was so moved and voted on as follows:

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

The Board discussed a drainage easement on the Summit School property but after lengthy discussion the Board began a motion, withdrew it and motioned to table any discussion or vote until further information was obtained.

NYACK LIBRARY

Trustee Hindin made a motion that the Board of Trustees declare by official proclamation September 2009 as the month Upper Nyack reads *Island at the Center of the World* by Russell Shorto, seconded by Trustee Morgan and so moved.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Trustee Morgan reminded the Board about the certification courses being offered by the Rockland County Planning Federation.

Trustee Morgan made a motion to adjourn seconded by Trustee Hindin and so moved at 9:50 PM.

AYES: Mayor Esmay, Trustees Diamond, Hindin & Morgan

NOES: None

ABSENT: Trustee Sarna

Respectfully submitted,

Carol G. Brotherhood
Village Clerk