

## REGULAR MEETING

June 15, 2006

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, June 15, 2006 at 7:00 PM.

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

**Other's identified:** PO Barone-CPD; no one from the public attended

POLICE REPORT – Read and noted

A traffic study was submitted to the Board for Old Mountain Rd.

JUSTICE REPORT – Read and noted.

MINUTES – Trustee Morgan motioned to accept the minutes as corrected of the Regular meeting of 5/18/06, seconded by Trustee Anderson and so moved.

AYES: Mayor Esmay, Trustees Anderson & Malcolm

NOES: None

ABSTAIN: Trustees Morgan & Tarapata (not in attendance)

Trustee Morgan motioned to accept the minutes as corrected of the Special meeting of 6/8/06, seconded by Trustee Anderson and so moved.

AYES: Mayor Esmay, Trustees Anderson, Malcolm & Morgan

NOES: None

ABSTAIN: Trustee Tarapata (not in attendance at meeting)

TREASURER'S REPORT – Not available. Will be available at workshop meeting

VOUCHERS – Read and approved for payment.

VILLAGE OF NYACK – Playground equipment

Discussion: Trustee Malcolm objected to donating to the Village of Nyack because it has never been done before.

Mayor Esmay explained that the Village of Upper Nyack can donate to another municipality if it benefits the residents of the Upper Nyack Community.

Trustee Tarapata made a motion that,

WHEREAS the Village Board has made a determination that there are residents of Upper Nyack who use the children's playground located at the Veteran's Memorial Park in Nyack, based upon the investigation and petition signed by a significant number of village residents and have shown a need,

WHEREAS the petition requested that the Village of Upper Nyack allocate \$2,500 for the purchase of equipment to be donated to the Village of Nyack, and

WHEREAS the Village of Nyack has provided the Village of Upper Nyack with a hold harmless and indemnification agreement (attached) pertaining to said playground equipment, and

THEREFORE, the Board of Trustees of the Village of Upper Nyack agrees to release the \$2,500 allocation for a piece of playground equipment, seconded by Trustee Anderson and on a call for a vote:

AYES: Mayor Esmay, Trustees Anderson, Morgan & Tarapata

NOES: Trustee Malcolm

Jennifer Marrachino, Wydendown Rd. resident, thanked the Board for their generous effort and noted that \$14,000 in individual donations had already been raised. Ms. Marrachino also stated that she always makes sure to note that it was because of a petition of the residents of Upper Nyack that got the Board to donate to another municipality.

#### 2006 Paving Program – North Broadway- Review of Bids

One bid received from Tilcon New York Inc., 162 Old Mill Rd., West Nyack, NY 10994 for \$50,691

The Board discussed the # of manholes actually being bid on. The Board decided to hold on a vote until the Mayor could speak with the Superintendent.

Electrical Inspector- The Board discussed a request by a Mr. Swanson to be permitted to perform electrical inspections in the Village of Upper Nyack and to provide a letter to Orange & Rockland noting that he is allowed to do so. Board put on hold until the Building Inspector has been able to investigate and make the decision.

Schedule of Fees- Discussion: Trustee Anderson reviewed and prepared changes to the Fee Schedule. The Board members are to review and consider setting a public hearing at the next regular meeting of 7/20/06.

The Board also discussed a new state law that requires a notification policy for personal information security. The requirement is for local governments to create a notification policy (April 6 deadline) to notify residents if there has been a breach of security regarding their personal information held by the village.

DPW BUILDING UPDATE – Trustee Malcolm noted that the building is ready to be occupied and there will be a dedication ceremony soon. Village Attorney Lewis will send a response letter to Mr. Ryan Karben, attorney representing Eastland Const.

Other items discussed by the Board:  
Moratorium law; Flow Meter; Old Stone Church

Trustee Anderson made a motion to adjourn seconded by Trustee Tarapata and so moved. The meeting was adjourned at 8:30 PM.

Respectfully submitted,

Carol G. Brotherhood  
Village Clerk