

REGULAR MEETING
December 15, 2005

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the village hall on Thursday, December 15, 2005 at 7:00 PM.

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

Others identified: Sgt. Baumann (CPD), John Badi, Tom Imperato-Wilder Balter Partners, Steve Tedeschi-Wilder Balter Partners

POLICE REPORTS – Read and noted. Sgt. Baumann noted there were some larcenies from vehicles. The traffic officers are continuing to enforce the 3 hour parking limit.

JUSTICE REPORT - Read and noted.

RESOLUTION- Deed of Dedication- DiPaci Subdivision

As a condition of the subdivision approval, Susan DiPaci will be dedicating a strip of land 10.9 feet wide, 108 feet long for a total of 5,190 sq. ft.

After a brief explanation by the Village Attorney, a review of the approved subdivision map and a brief discussion by the Board,

Trustee Morgan made a motion that the Village of Upper Nyack accept the deed of dedication for road widening purposes on Larchdale Ave. as described on the subdivision plat entitled Susan DiPaci, dated 6/18/04, seconded by Trustee Anderson and without further discussion, so approved.

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

NOES: 0

MINUTES –Trustee Tarapata motioned to approve with corrections the minutes of the **11/17/05 Regular meeting**, seconded by Trustee Morgan and so approved.

TREASURER’S REPORT – No report available.

The Board discussed the delivery of the new truck for the DPW on 12/16/05. The Mayor will need to be available to sign the financing lease. The Treasurer will prepare two checks-the down payment and the 1st year payment as previously discussed.

The Board also discussed the possibility of renting the DPW storage building on 9W to Roby’s Sweeping for storage of their trucks for the winter

months. The discussion included whether the payment would be a cost per square footage and if utilities would be included.

VOUCHERS – Read and approved for payment.

VILLAGE ELECTION:

No Registration Day - Trustee Morgan made a motion that there will be no separate registration day in 2006, Election Law §15-118(3), seconded by Trustee Tarapata and so moved.

Polling Place & Hours - Trustee Morgan made a motion that the Village of Upper Nyack, Village Election, will be held in the Village Hall on Tuesday, March 21, 2006 from 12 Noon until 9 PM as per Election Law §15-104(3), seconded by Trustee Tarapata and so moved.

Inspectors of Election – Trustee Morgan made a motion to appoint the following Inspectors of Election for the March 21, 2006 Village Election per Election Law §15-116(1) and to pay them \$12.00 per hour : Beatrice Wanamaker, Anne Donzella, Dorina Maragliano and Isobel Weiner, seconded by Trustee Malcolm and so approved.

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

NOES: None

DPW New Building Update –

Trustee Malcolm reported that:

- final blacktop to be done in the spring
- Salt Shed nearly complete
- inside has been swept clean
- heat installed in smaller section; full heat once piping is placed on roof (special curbing required)
- Fuel pump already purchased to be installed by Ira Conklin Inc.
- All water line work complete through Palermo property
- A “wish list” of tools to be purchased will be done
- Some landscaping will be left to be completed
- Solar Grant – ISI Solar to be signed

The Board commended Trustee Malcolm for his diligence in overseeing the work on the new DPW.

REVIEW-PROPOSED ZONE TEXT AMENDMENT IN THE OB ZONE

The Board discussed a request from Wilder Balter Partners for a zone text amendment that would add a residential use in the OB zone. The request was a result of recommendation and discussion that came out of the FEIS review

during Planning Board review of the Courtyard at Upper Nyack application. Tom Imperato and Steve Tedeschi, representing Wilder Balter Partners came before the Board to request that the Board of Trustees consider a zone text amendment for the OB zone and to seek recommendation of the Village of Upper Nyack Planning Board.

After discussion the Board of Trustees made the following resolution:

Trustee Morgan made a motion that,
WHEREAS the recent environmental review of the proposed commercial development known as “Courtyard at Upper Nyack” has revealed a number of environmental issues related to commercial use in the OB District; and

WHEREAS, THE Village Comprehensive Plan Section 2.C.calls for the development of a reasonable number of new homes in a wide range of cost brackets, consistent with existing neighborhoods;

THEREFORE, the Mayor and the Board of Trustees request the Planning Board to give serious consideration to the concept of amending the Zoning Ordinance to add residential use to the permitted uses in the OB District and, if appropriate, to seek the advice of a professional planner in order to prepare and present some specific recommendations to the Mayor and Board of Trustees of the Village of Upper Nyack, seconded by Trustee Tarapata and on a call for a vote,

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

NOES: 0

Trustee Malcolm made a motion to adjourn seconded by Trustee Morgan and so moved.

The meeting was adjourned at 8:55 PM.

Respectfully submitted,

Carol G. Brotherhood
Village Clerk