

**Minutes of the special meeting of the Village of Upper Nyack Board of Trustees held at 7:00pm on Thursday, January 12, 2023 held as a hybrid meeting.**

PRESENT	Karen Tarapata Michael Esmay Jeffrey Epstein Kennon Rothchild III (Virtual) Laurie Dodge	Mayor Deputy Mayor Trustee Trustee Trustee
ALSO PRESENT	Georgia Grandstaff Noelle Wolfson	Village Clerk Village Land Use Attorney
ABSENT -		

Meeting called to order at 7:03 pm.

- **Approve minutes from December 15th, 2022.**

Motion to approve the minutes from the December 15th, 2022 regular meeting of the Board of Trustees made by Trustee Dodge, seconded by Trustee Epstein, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Approval of Menucha Easement Agreement.**

**Discussion:** Noelle Wolfson gave explanation of easement needed to make drainage improvements and went through the Environmental Impact Form. This is an unlisted action under SEQRA.

**Public comment:** Greg Fisher, village resident, asked why Menucha had been allowed to start the project years ago, but not complete it.

Motion to adopt make a negative declaration environmental significance under SEQRA made by Trustee Esmay, seconded by Trustee Epstein, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

Motion to authorize Karen Tarapata to execute the drainage agreement and any other documents necessary for recording said agreement with Rockland County made by Trustee Epstein, seconded by Trustee Esmay, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Authorization to retain Hocherman Tortorella & Wekstein, LLP to represent the Village of Upper Nyack in legal case.**

Motion to retain Hocherman Tortorella & Wekstein, LLP to represent Village of Upper Nyack in legal case made by Trustee Epstein, seconded by Trustee Esmay, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Discuss proposed Local Law #4 of 2023 amending the Sound law.**

**Discussion:** A resident's complaint about her neighbor's dock triggered discussion about adding amendment to the Sound Law. Board discussed the pros and cons of adding a new provision to the Sound Law. Discussion will continue and public hearing will be adjourned.

- **Ratification of appointment of Beth Wittig to the Zoning Board of Appeals.**

Motion to ratify appointment of Beth Wittig to the Zoning Board of Appeals made by Trustee Dodge, seconded by Trustee Epstein, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Resolution Identifying Polling Place for Village Elections.**

Motion that the Village of Upper Nyack Village Election, will be held at the Old Stone Meeting House on Tuesday, March 21, 2023 from 12 noon until 9 pm as per election Law §15-104(3) made by Trustee Epstein, seconded by Trustee Dodge, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Approve 2023 Village of Upper Nyack Holiday Schedule.**

Motion to approve the 2023 Village of Upper Nyack Holiday Schedule made by Trustee Epstein , seconded by Trustee Esmay, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Set Public Hearing for proposed Local Law #3 of 2023 amending General Ordinance 1.3a, Placing Refuse and Other Materials on Streets, Sidewalks and Other Places.**

Motion to set public hearing for proposed Local Law #3 of 2023 amending General Ordinance 1.3a made by Trustee Epstein, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

- **Grievance Day Reminder: Tax Grievance Day will be on Thursday, February 23rd from 4:00 pm until 8:00 pm at the Old Stone Meeting House.**
- **Executive Session**

Motion to go into executive session to discuss pending legal matters made by Trustee Epstein, seconded by Trustee Dodge, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

Motion to end executive session made by Trustee Epstein, seconded by Trustee Dodge, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

**Meeting Adjourned at 8:42 pm.**

Motion to adjourn the Regular Meeting made by Trustee Rothchild, seconded by Trustee Epstein, and so accepted.

On Call for a Vote:

AYES: Mayor Tarapata, Trustees Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain: