

DRAFT

Minutes of the special meeting of the Village of Upper Nyack Board of Trustees held at 7:00 pm on Thursday, May 11th, 2023 held as a hybrid meeting.

PRESENT	Karen Tarapata Michael Esmay Jeffrey Epstein Kennon Rothchild III Alison Crowther	Mayor Deputy Mayor Trustee Trustee Trustee
ALSO PRESENT	Georgia Grandstaff Deanna Collins Noelle Wolfson (remote)	Village Clerk Village Attorney Village Attorney
ABSENT -		

Meeting called to order at 7:00 pm.

- **Public Questions**

- Residents Mort Korn and Richard James addressed the Board of Trustees and asked if in light of the current Village lawsuits regarding the shipyard if they should still report alleged violations to the Village. The Mayor expressed that residents can always report things to the Village. Village Attorney Noelle Wolfson explained that violations are active “by week”. Residents asked if it would be helpful to forward their correspondence with the Army Corps of Engineers to the Village.

- **Executive Session to discuss pending legal matters.**

Motion to enter into executive session at 7:14 pm to discuss pending legal matters made by Trustee Crowther, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

Motion to end executive session at 7:30 made by Trustee Rothchild, seconded by Trustee Epstein, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

- **Resolution to authorize action in pending legal case.**

Motion to authorize Deanna Collins to negotiate a resolution in the Village case of K. Graefe and Sons vs. the Village of Upper Nyack, case 21CV6644 in the Southern District of New York made by Trustee Epstsein, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

Motion to authorize Noelle Wolfson to enter into a briefing schedule for motion practice involved in state court litigation between K. Graefe & Sons vs the Village of Upper Nyack made by Trustee Rothchild, seconded by Trustee Crowther, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

- **LWRP: Local Waterfront Revitalization Program Discussion -**

Discussion: Village is looking into implementing an LWRP as other waterfront municipalities have done. The Village is in “specified waterfront areas” - below the Troy Dam - that allows it to align future waterfront development with the interests of the Village. Trustee Rothchild presented and discussed the 44 policies designated by the state as points of oversight over coastal waterfront affairs within the Village. He discussed the viability of some of the State Coastal Management Policies which may apply to the needs of our Village. The Village would need to hire a firm to assist in development of this plan (possibly the firm that did the LWRP for Village of Nyack). Village would need to form committee to research, public hearings need to be held, etc.

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- **Adjournment**

Motion to adjourn the special meeting of the Board of Trustees made by Trustee Epstein, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

Meeting Adjourned at 8:00 pm.