

REGULAR MEETING
MINUTES
AUGUST 19, 2021

The Regular Meeting of the Board of Trustees of the Village of Upper Nyack was held at Village Hall on Thursday, August 19, 2021 at 7:00 PM.

Those participating: Mayor Karen Tarapata, Trustees Michael Esmay, Jeffrey Epstein, Laurie Dodge, Ken Rothchild, Village Clerk Heather Candella, Village Land Use Attorney Noelle C. Wolfson, Clarkstown Community Police Officer Niles Davies, Sgt. JoAnne Fratianni
Absent: Treasurer Richard D. Fortunato

POLICE REPORTS – Clarkstown Police Officer Niles Davies and Sgt. Fratianni provided the report for the month. There were four motor vehicle accidents (MVA) in the Village. One MVA with injuries on Glenbrook and Highland Ave. The other three MVAs were without injury and occurred on North Highland Avenue, North Broadway, and Old Mountain and North Midland. One fire call for a dumpster fire on Lexow. Two juvenile calls: trespassing at Upper Nyack Elementary, in both instances the juveniles had left before officers arrived. Six sound ordinance calls on: Birchwood Ave (2), Jewett Road, Fairview Avenue, Wannamaker at North Midland, Nyack Field Club. Two instances of property damage: North Broadway – truck hit stop sign, Castle Heights Avenue – truck took down wires. One report of a person rummaging through recycling on Camboan Drive – gone on arrival. One call of a suspicious person on Badi Drive – male on bike with light, gone on arrival. School, area, cultural, and religious checks are ongoing. County-wide overdoses: 213 YTD, resulting in 37 deaths (176 survived). Town of Clarkstown overdoses: 67 YTD, resulting in 12 deaths (55 survived).

Larry Nathanson, Village Resident inquired about the Sound Law enforcement in regards to the Nyack Field Club movie nights on Fridays. PO Davies provided his contact information with Larry to contact him directly the next time it is an issue.

Trustee Dodge mentioned a resident complaint sent via email to the Board regarding the increase of speeding within the Village. PO Davies stated he will look into having a traffic count done in the Village and sending

unmarked cars to enforce.

APPOINT CLIMATE SMART COMMUNITIES (CSC) TASK FORCE CO-CHAIRS – Trustee Epstein read the letter from New York State congratulating the Village of Upper Nyack for pledging to be a Climate Smart Community and read the list of residents to be appointed to the CSC Task Force.

Trustee Epstein made a motion to adopt the appointments of the following residents to the CSC Task Force; Addison Chappell (Chair), Peggy Kurtz (Chair), Jeffrey Epstein (Board Liaison), Harry Vetter, Diana Greenwald, Judith Ryan, Laura Appelbaum, Claudia Massa, Terry Stone, Regina Kelly, and Daniel Wolff. Trustee Esmay seconded and so moved.

On a call for a vote:

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

NOES: None

MINUTES – Trustee Esmay made a motion to accept the minutes of the Regular Meeting, July 19, 2021 seconded by Trustee Epstein and so approved.

On call for a vote:

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

NOES: None

ABSTAIN: Trustee Dodge

SET PUBLIC HEARING FOR EXTENSION OF TEMPORARY MORATORIUM ON COMMERCIAL OR RESIDENTIAL LAND USE APPLICATIONS FOR PROPERTY LOCATED IN THE OFFICE BUSINESS (OB) DISTRICT, LABORATORY OFFICE (LO) DISTRICT AND THE R-4 RESIDENTIAL DISTRICT THAT ABUTS THE 9W CORRIDOR – Trustee Esmay made a motion to set the date for this public hearing to the September 2021 Regular Meeting. Trustee Dodge seconded and so moved.

On a call for a vote:

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

NOES: None

SET PUBLIC HEARING FOR EXTENSION OF DURATION OF THE TEMPORARY MORATORIUM ON COMMERCIAL OR RESIDENTIAL SPECIAL USE PERMITS AND SPECIAL USE PERMIT RENEWAL

APPLICATIONS – Trustee Epstein made a motion to set the date for this public hearing to the September 2021 Regular Meeting. Trustee Esmay seconded and so moved.

On a call for a vote:

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

NOES: None

7:30 PM PUBLIC HEARING – ADOPTION OF THE VILLAGE OF UPPER NYACK COMPREHENSIVE PLAN – The Village

Clerk read the public hearing notice. Noelle C. Wolfson explained the procedure in regards to voting on the Comprehensive Plan.

Trustee Rothchild made a motion to open the public hearing. Trustee Esmay seconded and so opened.

Mort Korn, Village Resident – Expressed he was happy this process was ending and thanked the Board for their hard work on the matter.

There were no other comments from the public.

Trustee Dodge moved to close the public hearing, Trustee Epstein seconded and so closed.

On a call for a vote:

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

NOES: None

Mayor Tarapata thanked Trustee Rothchild for his work on the Comprehensive plan since the beginning. Trustee Rothchild thanked the committee and public for their comments as it was useful in creating the plan.

Trustee Rothchild motioned to adopt the Village of Upper Nyack Comprehensive Plan. Trustee Esmay seconded, and so adopted.

On a call for a vote:

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

NOES: None

AUTHORIZATION FOR INTEGRATED SALT SPREADER – Mayor

Tarapata gave a brief overview on the need for the integrated salt spreader for the Department of Public Works.

Trustee Esmay motioned to accept the quote from Cliffside Body Corp of \$64,837.00 for the integrated salt spreader. Trustee Rothchild seconded and so approved.

On a call for a vote:

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

NOES: None

ACCEPT BID FOR RIVER HOOK STONE WALL RESTORATION BID

– Trustee Epstein motioned to accept bid from D&D Landscaping for \$10,800.00 to restore stone wall at River Hook Preserve. Trustee Dodge seconded and so approved.

On a call for a vote:

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

NOES: None

ACCEPT CIRCLE GARDEN RESTORATION FROM FRIENDS OF RIVER HOOK – Mayor Tarapata discussed the circle garden gift from the Friends of River Hook. The Garden Club will plant and help maintain the garden, as well as cost.

Trustee Dodge motioned to accept the gift from the Friends of River Hook to restore the stone wall at River Hook Preserve. Trustee Epstein seconded and so accepted.

On a call for a vote:

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

NOES: None

RESOLUTION IN SUPPORT OF THE DOT TAP GRANT – Trustee Epstein read the following resolution:

The Village Board supports an application for a “Safe Routes to School TAP Grant,” which would provide 80% of the cost of sidewalk / multiuse path design and construction on lower Birchwood, Upper Old Mountain Road, North Midland, and River Hook Preserve.

Trustee Epstein motioned to approve the resolution in support of the DOT TAP Grant. Trustee Rothchild seconded and so approved.

On a call for a vote:

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

NOES: None

OLD STONE MEETING HOUSE SAM GRANT – Mayor Tarapata discussed the improvements in progress.

Trustee Esmay read the resolution:

The Village Board authorizes up to \$80,000 for the installation of ADA compliant lavatory, and ADA compliant door, and other renovations to the Old Stone Meeting House.

Trustee Epstein motioned to approve the resolution. Trustee Rothchild seconded and so moved.

On a call for a vote:

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

NOES: None

Mayor Tarapata reviewed the bid from DTM Installations for a panic button at the Old Stone Meeting house, \$1028.00 for installation and annual central station monitoring fee of \$420.00 to install and maintain.

Trustee Dodge made a motion to accept the bid from DTM Installations for \$1028.00 for installation and annual central station monitoring fee of \$420.00 to install and maintain a panic button at the Old Stone Meeting House. Trustee Epstein seconded and so approved.

On a call for a vote:

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

NOES: None

RESOLUTION FOR SCUPLTURE EXHIBIT AT RIVER HOOK – Trustee Dodge outlined the proposed sculpture scape at River Hook Preserve. Five sculptures will be on loan for the year long exhibit, and will be in place for the September 25, 2021 kick-off event for the Village of Upper Nyack's 150th Anniversary event. Friends of River Hook will pay for the artists' stipend.

Trustee Epstein made a motion to accept the resolution for the sculpture exhibit at River Hook Preserve. Trustee Dodge seconded and so approved.

On a call for a vote:

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

NOES: None

EXECUTIVE SESSION

Trustee Esmay moved to go into Executive Session to discuss legal matters.

Trustee Epstein seconded the motion, and so moved.

On call for a vote:

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

NOES: None

Trustee Rothchild moved to end the Executive Session. Trustee Epstein seconded the motion, and so moved.

On call for a vote:

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

NOES: None

APPOINT MARGARET FOWLER TO ZONING BOARD OF APPEALS -

Trustee Esmay moved appoint Margaret Fowler to the Zoning Board of Appeals as a full-time member, as she was serving as an Alternate Member prior. Trustee Epstein seconded the motion, and so moved.

On call for a vote:

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

SET NEW DATE FOR SEPTEMBER 2021 REGULAR MEETING – The third Thursday of September 2021 falls on the holiday of Yom Kippur.

Trustee Epstein motioned to move the September 2021 Regular Meeting to September 23, 2021. Trustee Rothchild seconded and so moved.

On call for a vote:

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

NOES: None

Trustee Rothchild motioned to close the meeting. Trustee Dodge seconded and so it was accepted.

On call for a vote:

On call for a vote:

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

NOES: None

The meeting was adjourned at 8:38 PM.

Respectfully submitted,

Heather Candella
Village Clerk