

Minutes of the regular meeting of the Village of Upper Nyack Board of Trustees held at 7:00pm on Thursday, December 15th, 2022 held as a hybrid meeting.

PRESENT	Karen Tarapata Michael Esmay Jeffrey Epstein Kennon Rothchild III Laurie Dodge (Virtual)	Mayor Deputy Mayor Trustee Trustee Trustee
ALSO PRESENT	Georgia Grandstaff Christopher Kelly Richard Fortunato Michael Nolan (Virtual)	Village Clerk CPD Village Treasurer Code Enforcement

ABSENT -

Meeting called to order at 7:01 pm.

- **Police Report (attached).**
- **Code Enforcement Report (attached).**
- **Treasurer's Report (attached).**

Motion to make a payment on the Refunding/Refinance Bond in the amount of \$160,000.00 for the principal and \$29,950.00 in interest due on January 15th, 2023 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:

- **Approve Minutes from November 17th, 2022.**

Motion to approve minutes from November 17, 2022 as amended 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:

- **Public Hearing to amend GO 1.3: Placing Refuse and Other Materials on Streets, Sidewalks and Other Places.**

Discussion: The Village wants to add the word “leaves” to General Ordinance 1.3 so that it is clear that people can’t pile leaves in the street.

Motion to open public hearing on Local Law #12 of 2022 to amend General Ordinance 1.3 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:

Discussion: None. No comments from public.

Motion to close public hearing on Local Law #12 of 2022 to amend General Ordinance 1.3 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:

Motion to amend Ordinance 1.3b Placing Refuse and Other Materials on Streets, Sidewalks and Other Places made by Trustee Rothchild, seconded by Trustee Dodge, and so accepted.

On Call for a Vote:

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

NOES:
Abstain:

- **River Hook - Boulders Loop Proposal**

Discussion: NY-NJ Trail Conference wants to add the path through the River Hook preserve to the trails map.

Motion to accept proposal of the NY-NJ trail conference to include River Hook in the Boulder's Loop 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:

- **Film permits: River Hook and Village**

Discussion: The Village Board of Trustees continued an on-going discussion of the Village's filming policy. They will continue this discussion at the next regular meeting.

- **Discussion of recycling at Village events (policy attached).**

Discussion: Rockland Green asked Village to enact policy for recycling at events.

Motion to adopt a policy on recycling at Village-approved events 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:

- **Executive Session.**

Motion to go into executive session to discuss a personnel matter made by Trustee Esmay, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

Motion to end executive session at 8:30 pm 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:

Meeting resumed at 8:30 pm.

Motion to allow Village employees to roll over up to an additional 7 days of vacation time from 2022 to 2023 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:

- **Introduction of proposed Local Law #3 of 2023**

- **Discussion** of noise complaints that fall outside of Village Sound Law. Trustees want to add clause to Sound Law to encompass other sound nuisances.

Motion to set a public hearing for Sound Law Amendment on January 19th, 2023 made by Trustee Esmay, seconded by Trustee Rothchild, and so accepted.

On Call for a Vote:

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

NOES:

Abstain:

- **Adjournment**

Motion to adjourn the Regular 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 Dodge, Epstein, Esmay and Rothchild

NOES:

Abstain:

Meeting Adjourned at 8:42 pm.

VILLAGE OF UPPER NYACK

328 NORTH BROADWAY
UPPER NYACK, NEW YORK 10960

★ INCORPORATED 1872 ★

Tel. 845-358-0084 • FAX. 845-358-0741

village.clerk@uppernyack-ny.us

www.uppernyack-ny.us

POLICY ON RECYCLING AT VILLAGE APPROVED EVENTS

The Village of Upper Nyack requires that public events be approved by the Board of Trustees. In order to promote recycling in the Village, organizers of approved events shall comply with the following policies.

- If food is served or sold at the event, organizers will encourage caterers/vendors to minimize the use of plastic service ware and maximize use of reusable, recyclable or compostable service ware.
- Organizers will position clearly marked recycling bins near waste bins at the event. The Village may, at its discretion, provide recycling bins for the event.
- After the event is complete, organizers will properly dispose of recyclables offsite or deliver them in sealed clear bags to Upper Nyack Village Hall for recycling.

Failure to comply with these policies will prohibit the organizer from sponsoring an event in the Village for 2 years.

Approved by resolution of the Village Board on December 15, 2022

Village of Upper Nyack
Balance Sheet
As of December 15, 2022

Dec 15, 22

ASSETS	
Current Assets	
Checking/Savings	
NY Class-Capital Projects 002	613,083.51
NY Class-General Fund 001	1,724,945.34
Webster-General Operating 693	255,765.29
Webster-General Payroll 706	51,172.84
Webster-Trust & Agency Fund714	7,641.89
Total Checking/Savings	<u>2,652,608.87</u>
Total Current Assets	<u>2,652,608.87</u>
TOTAL ASSETS	<u><u>2,652,608.87</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	7,165.86
Total Accounts Payable	<u>7,165.86</u>
Other Current Liabilities	
Due To/From Other Funds	
Capital Projects Fund Payable	604,038.00
Trust & Agency Fund Payable	7,624.00
Total Due To/From Other Funds	<u>611,662.00</u>
Security Deposit - Rent	2,000.00
Total Other Current Liabilities	<u>613,662.00</u>
Total Current Liabilities	<u>620,827.86</u>
Total Liabilities	<u>620,827.86</u>
Equity	
3950 Unappropriated Fnd Balance	1,521,203.50
Net Income	510,577.51
Total Equity	<u>2,031,781.01</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,652,608.87</u></u>

Village of Upper Nyack
Profit & Loss Budget vs. Actual
June 1 through December 15, 2022

	Jun 1 - Dec 15, 22	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Income			
1001 Real Property Tax	2,128,342.42	2,170,000.00	-41,657.58
1090 Int./Pen. Taxes	2,379.17	4,000.00	-1,620.83
1130 Gross Utility Fees	30,614.08	30,000.00	614.08
2110 Zoning Fees	800.00	1,000.00	-200.00
2115 Planning Board Fees	4,000.00	6,000.00	-2,000.00
2401 Interest Earnings	22,863.29	4,000.00	18,863.29
2410 Office Rental	12,900.00	25,000.00	-12,100.00
2555 Co & Violations Search	5,175.00	10,500.00	-5,325.00
2560 Road Opening Permit	1,350.00	2,000.00	-650.00
2590 Building Permits	17,623.60	30,000.00	-12,376.40
2591 Tree Permit	1,920.00	3,000.00	-1,080.00
2595 Cable TV Permits	0.00	30,000.00	-30,000.00
2770 Other Revenue	22,226.60	30,000.00	-7,773.40
2771 Clarkstown - Bulk Pickup	0.00	38,000.00	-38,000.00
3001 State Aid	124,040.46	310,000.00	-185,959.54
3002 NYS - CHIPS	0.00	100,000.00	-100,000.00
3005 R.C. - Mortgage Tax	-0.24	55,000.00	-55,000.24
3006 R.C. - Sales Tax	13,692.00	40,000.00	-26,308.00
3600 Sewer Rent	47,909.49	50,000.00	-2,090.51
4000 Transfer from Surplus	0.00	60,000.00	-60,000.00
Total Income	2,435,835.87	2,998,500.00	-562,664.13
Total Income	2,435,835.87	2,998,500.00	-562,664.13
Gross Profit	2,435,835.87	2,998,500.00	-562,664.13
Expense			
1325 FINANCE			
1325.01 Treasurer Services	26,812.50	49,500.00	-22,687.50
Total 1325 FINANCE	26,812.50	49,500.00	-22,687.50
1355 ASSESSMENT			
1355.40 Assessor Services	0.00	8,000.00	-8,000.00
Total 1355 ASSESSMENT	0.00	8,000.00	-8,000.00
1410 VILLAGE CLERK			
1410.01 Village Clerk	31,088.04	60,000.00	-28,911.96
1410.02 Village Clerk- Asstnt 2	32,387.50	60,000.00	-27,612.50
1410.03 Village Clerk- Asstnt 1	33,095.79	57,500.00	-24,404.21
1410.41 Supplies	3,390.43	8,000.00	-4,609.57
1410.43 Postage	0.00	1,000.00	-1,000.00
1410.44 Legal Advertizing	2,860.00	6,000.00	-3,140.00
1410.45 Public Information	180.00	1,000.00	-820.00
1410.47 Telephone	1,842.09	3,000.00	-1,157.91
1410.49 Contractual Services	23,911.36	30,000.00	-6,088.64
1410.50 Meetings / Seminars	50.00	500.00	-450.00
1410.51 Promotion / Good Will	9,958.87	10,000.00	-41.13
Total 1410 VILLAGE CLERK	138,764.08	237,000.00	-98,235.92
1420 LEGAL			
1420.40 Attorney Contractual	46,289.56	120,000.00	-73,710.44
Total 1420 LEGAL	46,289.56	120,000.00	-73,710.44
1440 ENGINEERING			
1440.40 Engineer Contractual	18,314.25	40,000.00	-21,685.75
Total 1440 ENGINEERING	18,314.25	40,000.00	-21,685.75

Village of Upper Nyack
Profit & Loss Budget vs. Actual
June 1 through December 15, 2022

	Jun 1 - Dec 15, 22	Budget	\$ Over Budget
1450 ELECTIONS			
1450.40 Elections Contractual	0.00	500.00	-500.00
Total 1450 ELECTIONS	0.00	500.00	-500.00
1620 VILLAGE HALL			
1620.20 Equipment	12,405.94	20,000.00	-7,594.06
1620.40 Cleaning	2,104.99	3,000.00	-895.01
1620.41 Heating	410.05	3,500.00	-3,089.95
1620.42 Electric	2,327.15	3,000.00	-672.85
1620.44 Repairs	61,921.96	15,000.00	46,921.96
1620.47 Water	213.29	440.00	-226.71
Total 1620 VILLAGE HALL	79,383.38	44,940.00	34,443.38
1630 BROADWAY GARAGE			
1630.51 Heating	121.56	500.00	-378.44
1630.52 Electricity	393.29	500.00	-106.71
1630.54 Repairs	0.00	1,500.00	-1,500.00
1630.57 Water	110.53	300.00	-189.47
Total 1630 BROADWAY GARAGE	625.38	2,800.00	-2,174.62
1640 STONE MEETING HOUSE			
1640.42 Utilities	640.53	6,000.00	-5,359.47
1640.44 Repairs & Maintenance	68,883.54	95,000.00	-26,116.46
1640.56 Contractual Misc.	3,214.49	2,000.00	1,214.49
Total 1640 STONE MEETING HOUSE	72,738.56	103,000.00	-30,261.44
1660 RIVER HOOK PRESERVE			
1660.10 Utilities	842.71	1,500.00	-657.29
1660.20 Repair and Maintenance	28,273.50	50,000.00	-21,726.50
1660.30 Supplies	737.99	3,000.00	-2,262.01
Total 1660 RIVER HOOK PRESERVE	29,854.20	54,500.00	-24,645.80
1910 INSURANCE			
1910.10 Insurance	48,126.10	55,000.00	-6,873.90
Total 1910 INSURANCE	48,126.10	55,000.00	-6,873.90
3620 BUILDING/CODE ENFORCEMENT			
3620.10 Building Inspector Svc	18,958.29	35,000.00	-16,041.71
3620.41 Supplies	2,992.40	2,000.00	992.40
3620.48 Training	300.00	500.00	-200.00
Total 3620 BUILDING/CODE ENFORCEME...	22,250.69	37,500.00	-15,249.31
5110 HIGHWAY DEPARTMENT			
5110.01 Highway Svcs Personnel	147,482.70	192,260.00	-44,777.30
5110.02 Highway Svcs OverTime	0.00	50,000.00	-50,000.00
5110.20 Equipment	66,298.45	10,000.00	56,298.45
5110.41 Truck Maintenance	17,345.72	20,000.00	-2,654.28
5110.42 Truck Fuel	8,568.49	10,000.00	-1,431.51
5110.43 Equip Maintenance	1,275.58	5,000.00	-3,724.42
5110.44 Road Repair/Maint.	14,502.43	25,000.00	-10,497.57
5110.45 Contr. Road Repair	311,931.98	370,000.00	-58,068.02
5110.46 Building Repair	3,658.04	10,000.00	-6,341.96
5110.47 Telephone	96.59	500.00	-403.41
5110.48 Utilities	4,791.94	10,000.00	-5,208.06

Village of Upper Nyack
Profit & Loss Budget vs. Actual
June 1 through December 15, 2022

	Jun 1 - Dec 15, 22	Budget	\$ Over Budget
5110.49 Training	2,915.00	1,000.00	1,915.00
5110.52 Tree Safety	2,400.00	10,000.00	-7,600.00
5110.53 Supplies	3,895.11	6,000.00	-2,104.89
5110.57 Catch Basin Repair	29,935.00	6,000.00	23,935.00
5110.59 Cablevision	449.59	1,000.00	-550.41
5110.61 Contr. Service	7,141.63	12,000.00	-4,858.37
Total 5110 HIGHWAY DEPARTMENT	622,688.25	738,760.00	-116,071.75
6560 PAYROLL EXPENSES			
6566 Soc.Sec / Medicare	24,715.07	44,600.00	-19,884.93
6567 Unemployment	688.16	2,000.00	-1,311.84
6569 Payroll Service	2,455.80	3,800.00	-1,344.20
9010 State Retirement	47,942.00	68,000.00	-20,058.00
9040 Workers Compensation	9,327.15	20,000.00	-10,672.85
9060 Health Insurance	98,515.08	180,000.00	-81,484.92
9061 Medicare Reimbursement	4,762.80	9,000.00	-4,237.20
Total 6560 PAYROLL EXPENSES	188,406.06	327,400.00	-138,993.94
8020 PLANNING / ARB			
8020.10 Planning Personnel	28,826.41	53,600.00	-24,773.59
8020.40 Planning Contractual	1,800.00	4,000.00	-2,200.00
Total 8020 PLANNING / ARB	30,626.41	57,600.00	-26,973.59
8120 SEWER SYSTEM			
8120.42 Pumphouse Utilities	2,464.05	4,000.00	-1,535.95
8120.44 Repair & Maint.	0.00	15,000.00	-15,000.00
8120.60 Treatment	226,198.27	436,000.00	-209,801.73
8120.70 Pump Station Debt Svc	16,147.82	28,000.00	-11,852.18
Total 8120 SEWER SYSTEM	244,810.14	483,000.00	-238,189.86
8130 REFUSE COLLECTION			
8130.40 Refuse Contractual	169,925.00	260,000.00	-90,075.00
Total 8130 REFUSE COLLECTION	169,925.00	260,000.00	-90,075.00
9600 BONDS & BANS			
9614 Open Space Bond - Prin	90,000.00	90,000.00	0.00
9615 Open Space Bond - Interest	68,693.80	70,000.00	-1,306.20
9616 Refunding Bond - Principle	0.00	165,000.00	-165,000.00
9617 Refunding Bond - Interest	26,950.00	54,000.00	-27,050.00
Total 9600 BONDS & BANS	185,643.80	379,000.00	-193,356.20
Total Expense	1,925,258.36	2,998,500.00	-1,073,241.64
Net Ordinary Income	510,577.51	0.00	510,577.51
Net Income	510,577.51	0.00	510,577.51

Upper Nyack Village Board Meeting December , 2022

Area Checks: All "checks" continue on a daily basis

School Checks: Upper Nyack Elementary

Cultural and Religious: All checks continue

Gratitude Day at UN Elementary School

MVA's: 1 No Injuries 339 N. Broadway

Abandoned Vehicle – 1 -vehicle towed from private property

Alarms 13

10 Burglary

3 Fire- no issues

Animal Incidents - 2

*sick racoon, mouse in trap at residence

Burglary 0

Criminal Mischief 2

*tires slashed at Reformed Temple- suspect ID and transported to Nyack Hospital

For evaluation- Nyack Hospital Employees

Dog Incident- 3 2X Dog reunited w/ owner, Dog off the leash

Dumping- 0

Fire 0

Fireworks 0

Frauds

These types of incidents include:

- Dent Repair
- Driveway Paving
- Roofing Repair
- Diversion Burglaries, sometimes posing as utility workers
- Tech Support
- Online Dating
- Lottery & Sweepstakes
- Insurance/Financial Fraud

Juveniles – 0

Larceny - 0

Larcenies from vehicles – 0

Medical Calls – 9

Missing Person- 1 (located st Nyack Beach State Park and rescued)

Ordinance 0

Property damage – None

Recycle – None (occurring throughout the town)

Stolen Vehicle – 0

Robberies: None

Trespass None

Speed complaints

N. Broadway by Upper Nyack Elementary School

Upper Birchwood

Old Mountain

Castle Heights Eastbound from Midland Ave

V&T – report of cars parking illegally on Birchwood in the AM and PM.. signage can be confusing

Additional Calls in Town

Frauds- amazon, virtual interview- received check- check was fraudulent, paypal, facebook apartment rental, fraudulent carmax loan, geek squad scam

Stolen Vehicles- 0

Catalytic Converters- still ongoing throughout county and country

Drug Related Information:

County-wide Overdoses 2022 YTD – 257, resulting in 38 death (219 survived)

Clarkstown 2022 YTD – 59 resulting in 10 deaths (49 survived)

Finding fentanyl in Marijuana

PO Niles Davies

PO Chris Kelly

845-639-5980

n.davies@clarkstownpd.org

c.kelly@clarkstownpd.org