

REGULAR MEETING  
January 18, 2018

The Regular meeting of the Board of Trustees of the Village of Upper Nyack was held at the Village Hall on Thursday, January 18, 2018 at 7:00 PM.

**Those present:** Mayor Tarapata, Trustees Diamond, Esmay, Nye & Rothchild  
Village Clerk Carol G. Brotherhood, Village Attorney Robert P. Lewis, Treasurer Richard D. Fortunato

**Others identified:** Lt. Morgan-CPD; Emily Jackson

**POLICE REPORTS** – Lt. Morgan appeared and presented the CPD report to the Board. The following was noted or discussed:

5 weather related motor vehicle accidents; Summit School: 5 incidents were reported of emotionally disturbed persons. Students transported to Nyack Hospital without incident; larceny of storage units at 531 N. B'way (Riverhouse); Citgo Station: Box truck hit the overhang (CPD & building Inspector responded); Welfare check on Castle Heights Ave. with discovery that person passed away in their sleep; snow shoveling – noting who has not shoveled-Community Police will follow up but what will the escalation level be for them to get involved. The Board discussed having the property owner get 1) a courtesy letter 2) violation 3) ticket  
The Snowflake Run and Resolution Run went on without incident.  
CPD assisted in the funeral escort of the NYC Fireman who was a local volunteer fireman and had passed away from a 911 related illness.

Lt. Morgan also discussed the traffic monitoring that took place over 72 hrs. on N Broadway and reported that the average speed was 27 mph. The report did report that there were cars traveling in excess of 70. Also discussed was Castle Heights Avenue and the issue from last month regarding traffic and speed and visibility midway up the street. The Board and Lt. Morgan agreed that a Permanent speed monitor would be too costly for the village and was not warranted but CPD would set up the portable speed trailer from time to time in the areas on N Broadway and Castle Heights.

Lt. Morgan introduced the new Chief of the Dept. to the Board, Chief Raymond McCullagh, a 32 year veteran of the force (4 yrs. as an NYPD officer and 28 yrs. at CPD) Chief McCullagh noted is he a proponent of community policing and extended an invitation for the Mayor & the Board to contact him anytime with any issue or concern.

Mayor Tarapata noted the village and CPD would work together to establish the escalation process to be fair to all residents. Also discussed was a noise ordinance

which Chief McCullagh noted is difficult to enforce. Their Dept. uses an approach to get residents to be considerate of their neighbors. They use discussion first. CPD does not have the equipment to measure decibels and for example use hours of operation for things like leaf blowers and lawn mowers.

The Mayor thanked Lt. Morgan and Chief McCullagh for attending.

TREASURER'S REPORT – Treasurer Fortunato submitted the report for review. 1099's were mailed. The grant application for the roof at the OSMH is nearly complete will be mailed by the middle of February.

After a brief explanation by the Treasurer, the following motion was made: Trustee Rothchild made a motion that the Village pay Jillana Sinnott her hourly wage of \$48.36 as overtime for the hours she works for the Comprehensive Plan Committee, seconded by Trustee Diamond and was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Nye & Rothchild

NOES: None

Trustee Rothchild praised Md. Sinnott for her prep and help at the meeting.

Currently she will only attend the public input meetings.

Trustee Esmay made a motion that the Board expend \$4,765, minus a donation of \$1,500 from The Path, to cover the cost of replacing the flagpole, seconded by Trustee Rothchild and so moved.

AYES: Mayor Tarapata, Trustees Diamond, Nye & Rothchild

NOES: None

Treasurer Fortunato noted the Village had received the annual Solid Waste Management Authority tax bills

VOUCHERS – Read and approved for payment.

Parking on Front Street – Emily Jackson, 305 Front Street appeared before the Board to discuss a parking problem. The house she resides in on Front St., built in 1904 does not have a driveway. The topography of the property does not lend itself to making a parking area on the property. Therefore she parks her car on the street. Recently she has been ticketed and was seeking relief from the Board for a solution to her parking problem. The Board discussed the idea of parking permits for residents. Also discussed was amending the local law to allow parking on a portion of Front St. The Mayor noted that the Board will check with the DPW and Fire Dept. about the plow truck and emergency vehicles getting by and will get back to her.

FORESTER – Discussion: Mayor Tarapata reported to the Board that she had

gathered the names of several arborists that are tree risk assessment certified. The position will be set up as an independent consultant.

MINUTES – Regular Meeting, December 14, 2017

Trustee Esmay made a motion to approve the minutes of the **12/14/2017 Regular meeting**, seconded by Trustee Nye and so approved.

AYES: Mayor Tarapata, Trustees Diamond, Nye & Rothchild

NOES: None

UNSAFE BUILDING The Board received a report from the Building Inspector regarding an unsafe accessory structure located on the property at 115 Larchdale Avenue. The building has fallen in disrepair and a portion of the rear roof has collapsed. The Inspector had already placed an Unsafe Building notice on the structure and was requesting a resolution by the Board to declare the building unsafe. Based upon the report of the inspector and photos he supplied the Board made the following resolution:

Trustee Esmay made a motion that the Board declare the accessory structure on the southeastern perimeter of the property at 115 Larchdale Avenue as an unsafe building, seconded by Trustee Rothchild and it was so moved.

AYES: Mayor Tarapata, Trustees Diamond, Nye & Rothchild

NOES: None

Village Attorney Lewis updated the Board on the status of:

1) Simon VS Village of Upper Nyack- papers have been filed with the appellate division

2) Tharp/Baumgardner VS Robert & Nancy Sayegh and the Village of Upper Nyack: Settlement, Sayegh to comply with court order to clean up their property

After a brief discussion it was decided that Grievance will be held on Thursday, February 22, 2018 from 4 pm to 8 pm.

Trustee Nye made a motion to adjourn, seconded by Trustee Esmay and so moved. The meeting was adjourned at 9:26 PM.

AYES: Mayor Tarapata, Trustees Diamond, Esmay, Nye & Rothchild

NOES: None

Respectfully submitted,

Carol G. Brotherhood, Village Clerk