

**Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm on Thursday, May 26<sup>th</sup>, 2011 at Nyack Village Hall, 9 North Broadway, Nyack New York**

Hon. Richard Kavesh presiding:

PRESENT:	Richard Kavesh	Mayor
	Louise Parker	Trustee
	Jen Laird-White	Trustee/Deputy Mayor
	Steve Knowlton	Trustee

ABSENT:	Doug Foster	Trustee
---------	-------------	---------

ALSO PRESENT:	Walter Sevastian	Village Attorney
	Jim Politi	Village Administrator

The meeting was preceded by two workshops: one a discussion of the Pavion Property with Architect Jan Degenshein and the other a presentation by the River Rowing Association for a boathouse that would be located in the southwest corner of the Spear St. Parking lot. The Parks Commission submitted a set of questions for the VB and the RRA. A joint workshop with the RRA, The Parks Commission, and the VB will be held on-site at 5:30 P.M. on Wednesday, June 1<sup>st</sup>.

**Pledge of Allegiance**

**Adoption of Minutes:**

The minutes of the regular meeting of May 12, 2011 were approved as presented with a motion by Trustee Knowlton. Motion was seconded by Trustee Laird-White and passed with a unanimous vote.

**Public Comment**

**Candice Robbins (3 Spear St.)** – Ms. Robbins reported about ecoli and sewage flowing into the Hudson River during severe rain storms and is concerned about the effects of Streetscape on runoff into the river. Trustee Laird-White will arrange a meeting between Ms. Robbins and Michael Hakim.

**Reports to the Board**

Orangetown Police Department

- Mayor Kavesh reported correspondence from the owner of a Nyack restaurant where the noise from the adjoining property is so loud that it is forcing her customers inside, costing her business, and may cause her to leave the location. He asked Orangetown Police to enforce our noise ordinance with decibel meters, which the Orangetown Police is unable to do because it doesn't have decibel meters. Trustee White has asked Legislative Chair Harriet Cornell if the County Health Department, which does have decibel meters, can enforce our noise ordinance. Another alternative is for the

Building Department to enforce it. Matter to be taken up at next meeting with Orangetown Police on Tuesday, June 14<sup>th</sup>.

The Village Administrator reported that Chesterfield Associates is the apparent low bidder for the Eco Dock project, @ \$157,300.

Treasurer – The Village Administrator reported that the village’s deficit at the end of the fiscal year on May 31<sup>st</sup> will be around \$100K, significantly less than last year’s.

Parking Authority – Village Administrator Politi reported that 7 of the village’s 46 muni-meters went down during last week’s torrential storms. Compounding the problem, the village’s only trained meter mechanic was on vacation. Board members received complaints from several people who received parking tickets while parked at meters that were out of order. The Village Administrator presented a detailed plan that will monitor every muni meter Monday through Saturday, the prompt repair of every broken meter, and the training of a second meter mechanic. The Village Attorney said that if the village can verify that a ticket was given as a result of a defective meter, the Parking Authority as a policy matter should have the discretion to waive it. The Parking Authority will need written guidelines to do this, so a workshop was scheduled for June 9<sup>th</sup> at 6:30 to discuss this matter. Judge Knoebel and his staff will also be invited to attend.

Village Attorney’s Report and Public Hearings (see below)

### **Public Hearings**

1. A local law to clarify the Zoning Code regarding the approval of garden or storage sheds. No comment from the public. Trustee Knowlton moved to close debate, it was seconded by Trustee Parker and it was passed unanimously. Trustee Laird-White moved to adopt the Local Law and to designate it as a type II action under SEQRA. It was seconded by Trustee Knowlton and adopted unanimously.
2. To establish the Village Board as the lead agency for the reinsertion of the Hospital H Zoning District. Hospital Attorney Dennis Lynch introduced several executives from Nyack Hospital and spoke briefly. No other public comment. Trustee Knowlton moved to close debate, it was seconded by Trustee Parker, and passed unanimously. Mayor Kavesh moved to appoint Trustees Laird-White and Knowlton as the village’s representatives to attend planning meetings with the hospital; passed unanimously. Trustee Laird-White moved to approve the entire resolution, it was seconded by Trustee Knowlton and passed unanimously.
3. A local Law to clarify the enforcement powers of Code Enforcement Officials in the Village of Nyack. No public comment. Trustee Knowlton moved to close debate, it was seconded by Trustee Parker, and passed unanimously. Trustee Knowlton moved to adopt the Local Law and to designate it as a type II action under SEQRA. It was seconded by Trustee Parker and passed unanimously.

4. A local law to correct an editing effort made upon the recodification of the Nyack Zoning Code to reinstate the provisions of the Affordable/Workforce Housing Law into the Village Code. No public comment. Trustee Knowlton moved to close debate, it was seconded by Trustee Parker, and passed unanimously. Trustee Knowlton moved to adopt the Local Law and to designate it as a type II action under SEQRA. It was seconded by Trustee Parker and passed unanimously.

## **Committee Reports**

*Public Works & Building* – Trustee Knowlton reported that a biddable document on the Marina will be available by the 2<sup>nd</sup> week of June and said the project would start in spring, 2012 at the latest. The Village will simultaneously seek FEMA/SEMO approval.

*Infrastructure* - Trustee Knowlton reported that the official opening of the Streetscape project will take place on Saturday, June 4<sup>th</sup> at 2:00 P.M. at the corner of Main and Cedar Streets. Mayor Kavesh reported that he had been advised by Senator Carlucci's office that the final signoff for the Polhemus road repair would take place on Friday, May 27<sup>th</sup> and that the village should be getting the paperwork from the local NYSDOT office in about three weeks.

*Economic Development* – no report

*Information Technology* – no report

*Residential* – no report

*Housing* – no report

*Inter-Governmental Relations* – no report

*Parks & Recreation* – no report

*Budget, Finance, and Administration* – Mayor Kavesh reported on the village events for Memorial Day, including a 9:00 memorial at Oak Hill Cemetery, a 10:00 A.M. commemoration at Veterans' Park, and the 11:00 A.M. parade followed by an event at the American Legion.

## **Old Business**

Special Events Law – Village Administrator Politi reported that the village's administrative costs for special events are \$442.94. With a motion by Trustee Knowlton and a second by Trustee Parker, the Board directed the Village Attorney to revise the draft to set a fee of \$100 for parades, processions, and special events that are not "village sponsored" events and that the sponsors of these events do not need to pay for our Parking Enforcement officers. The motion was passed unanimously and a date of June 23<sup>rd</sup> was set for a public hearing.

23 Main St – Village Attorney gave a status report on this matter. No further action taken

## **Communication**

Request from Carolyn and Joe Donaldson of Congers to restore handicapped parking by the Hudson River shoreline in the final park plan. Mayor Kavesh noted that handicapped parking is incorporated into the "consensus plan" and that he will reply to the letter.

## **New Business**

Nyack Plaza Residents Request for Meeting – The Board has not yet received an agenda or preferred time and date.

Bridget Killen-Mason of Pearl River and her husband have just leased the building formerly occupied by Bruxelles. Ms. Killen-Mason asked the board to waive the 30 day waiting period to apply for the liquor license. Trustee Laird-White moved to waive the 30-day waiting period, it was seconded by Mayor Kavesh, and passed unanimously.

### **Executive Session**

At 9:10, Trustee Knowlton moved, Trustee Parker seconded motion to go into Executive Session. At 9:15. Trustee Laird-White moved, Trustee Parker seconded motion to come out of Executive Session. Both motions passed unanimously.

### **Adjournment**

There being no further business, nor anyone present wishing to be heard, Mayor Kavesh moved to close the Regular meeting. Trustee Knowlton seconded the motion and it was passed unanimously at 9:15 P.M.

Respectfully submitted,  
Richard Kavesh, Mayor