

**Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30 pm on Thursday, September 11<sup>th</sup>, 2014 at Nyack Village Hall, 9 N. Broadway, Nyack New York**

Hon. Jen Laird-White presiding:

PRESENT:	Jen Laird-White	Mayor
	Louise Parker	Trustee
	Don Hammond	Trustee
	Doug Foster	Trustee
	Marie Lorenzini	Trustee
ALSO PRESENT:	Walter Sevastian	Village Attorney
	Jim Politi	Village Administrator
	Mary E. White	Village Clerk
ABSENT:	Steve Knowlton	Special Counsel

***PLEDGE OF ALLEGIANCE***

***NYACK THANKS.....***

**Adoption of Minutes –**

Regular meeting of August 14, 2014

*Minutes were approved, with the necessary corrections, by motion from Trustee Lorenzini, seconded by Trustee Hammond. Motion passed by unanimous vote.*

**Public Comment:** *(discussion of Agenda Items only – 3 minute time limit)*

**Action items:**

**Resolution No. 2014-54** Resolution approving St. Francis of Assisi’s request to offer Lunch Program.

*Moved by Trustee Parker, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.*

**Resolution No. 2014-55** Resolution approving Nyack Senior High School’s request to approve annual ‘Homecoming’ weekend events.

*Moved by Trustee Parker, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.*

**Resolution No. 2014-56** Resolution to determine the environmental impact of the Nyack Skate Park project.

*Moved by Trustee Hammond, seconded by Trustee Parker to adopt resolution as presented. Motion passed by unanimous vote.*

**Resolution No. 2014-57** Resolution approving the agreement with Partners in Safety

*Moved by Trustee Hammond, seconded by Trustee Parker to adopt resolution as presented. Motion passed by unanimous vote.*

**Resolution No. 2014-58** Resolution approving Nyack Hospital Foundation's request to hold its' annual 'Blow Away Breast Cancer Run & Walk'

*Moved by Trustee Parker, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.*

**Resolution No. 2014-59** Resolution to award ADA Ramps project to M. Ingannamorte & Son.

*Motioned by Trustee Lorenzini, seconded by Trustee Foster to table vote subject to approval of Bond resolution (see below: \$152,785 Road Improvements). Passed by unanimous vote.*

*Motioned by Trustee Hammond, seconded by Trustee Foster to reconsider motion. Passed unanimously.*

*Moved by Trustee Lorenzini, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.*

**Bond Resolutions:**

*Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt the following resolutions. Motion passed by unanimous vote.*

- \$70,000 Serial Bonds for the Gazebo in Memorial Park
- \$78,000 Bonds for Acquisition of DPW Equipment
- \$200,000 Bonds for Construction of Fishing Pier
- \$152,785 Bonds for Construction of Road Improvements

*The following resolutions were deferred:*

- \$300,000 Bonds for Improvements to Village Hall
- \$100,000 Bonds for Construction of Drainage Improvements

**Public Comment:** (Open Public Discussion/any topic – 3 minute time limit)

Dylan Hopkins (13 Central Ave) – Emergency vehicle access  
*Not present*

**Public Hearing(s):**

**Department Reports to the Board**

- Recreation Department
  - Bocce Court proposal*
  - Deferred for additional detail (scope of work, costs)
- Building Department
  - 90 Sixth Ave (fence installation)*

- Orangetown Police Department  
*Berea 7<sup>th</sup> Day Adventist Church (Compassion Rally Day march)*
- Village Administrator
  - Gazebo design/relocation report
  - Playground report (Grand opening 9/20 @11am; Fundraiser @5pm)
- Village Attorney
  - Land Use board report
  - At 8:49pm Trustee Parker moved to approve request for an Executive Session to discuss a matter of pending litigation. Trustee Lorenzini seconded the motion and it passed unanimously.
- Village Clerk
  - Village Code on Filming
  - Deferred for detail/clarification of proposed amendments.

### **Old Business**

*Land Use Technical Committee (LUTC)  
2014 Vendor applications/process*

### **Communications**

*Andre DeNonno (90 Jefferson St) - Block Party request  
After discussion, Village Clerk was directed to respond to Mr. DeNonno informing him of the necessary requirements (proof of Insurance, Emergency services notifications, signed resident notifications)*

### **New Business**

**Public Comment:** *(Open Public Discussion/any topic – 3 minute time limit)*

*Jack Dunnigan (Community Garden) presented the Board with a variety of vegetables from this season's crop as a 'Thank you' for its' support.*

### **Comments from the Board of Trustees**

*Mayor Laird-White: Nyack Point Apartments*

*Trustee Foster: Technical Support contractor – RFP results  
Project awarded to Living Simplicity (Louis Rampersad)*

### **Executive Session (if any)**

*Pending Litigation*

*At 9:03pm, Trustee Lorenzini moved to go into Executive Session to discuss matters of pending litigation. Trustee Parker seconded the motion and it passed unanimously.*

At 9:25pm, it was moved by Trustee Lorenzini, seconded by Trustee Foster to come out of Executive Session. Motion passed unanimously.

**Adjournment.**

There being no further business, nor anyone present wishing to be heard, Trustee Hammond moved to close the regular meeting. Trustee Lorenzini seconded the motion and it was passed unanimously at 9:26pm.

Respectfully submitted,  
Mary E. White,  
Village Clerk

**RESOLUTION OF THE NYACK VILLAGE BOARD**

A regular meeting of the Nyack Village Board convened on September 11, 2014, at 7:30

The following resolution was duly offered and seconded, to wit:  
Resolution No. 2014-54

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE THE REQUEST OF ST. FRANCIS ASSISI PARISH FOR THE USE OF THE SIDEWALK AT THE HEAD START BUILDING FOR PURPOSE OF OFFERING LUNCHES TO MEMBERS OF THE NYACK COMMUNITY**

WHEREAS, the St. Francis Assisi Parish has requested permission to utilize the sidewalk area outside of the Head Start building to facilitate the distribution of free lunches to members of the Nyack Community between October 4, 2014 and May of 2015, and

WHEREAS, the Village Board of Trustees is desirous of supporting the parish’s charitable undertaking.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the request of the St. Francis Assisi Parish to offer a lunch program from the public sidewalk at the Head Start Building from October 4, 2014 through May of 2015.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Laird-White	[ X]	[ ]	[ ]	[ ]
Trustee Parker	[ X]	[ ]	[ ]	[ ]
Trustee Hammond	[ X]	[ ]	[ ]	[ ]
Trustee Foster	[ X]	[ ]	[ ]	[ ]
Trustee Lorenzini	[ X]	[ ]	[ ]	[ ]

Mary E. White, Village Clerk

**RESOLUTION OF THE NYACK VILLAGE BOARD**

A regular meeting of the Nyack Village Board convened on September 11, 2014, at 7:30

The following resolution was duly offered and seconded, to wit:  
Resolution No. 2014-55

**RESOLUTION OF THE NYACK VILLAGE BOARD  
APPROVING THE NYACK HIGH SCHOOL HOMECOMING EVENT**

WHEREAS, the Nyack High School is holding its Homecoming Event on October 17, 2014;  
and

WHEREAS, the Village Board of Trustees is desirous of supporting this community event;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the use of Village property in connection with the Nyack High School Homecoming event.

BE IT FURTHER RESOLVED that the Village Board directs the Village Clerk to interface with the Nyack School District representatives to secure all necessary permits and insurance certificates associated with this approval.

BE IT FURTHER RESOLVED that the Applicant is directed to comply with all Village ordinances and interface with the Orangetown Police Department prior to the event.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	Yea	Nay	Abstain	Absent
Mayor Laird-White	[ X]	[ ]	[ ]	[ ]
Trustee Parker	[ X]	[ ]	[ ]	[ ]
Trustee Hammond	[ X]	[ ]	[ ]	[ ]
Trustee Foster	[ X]	[ ]	[ ]	[ ]
Trustee Lorenzini	[ X]	[ ]	[ ]	[ ]

Mary E. White, Village Clerk

**RESOLUTION OF THE NYACK VILLAGE BOARD**

A regular meeting of the Nyack Village Board convened September 11, 2014, at 7:30p.m.

The following resolution was duly offered and seconded, to wit:

Resolution No. 2014-57

**RESOLUTION OF THE NYACK VILLAGE BOARD  
APPROVING THE AGREEMENT WITH PARTNERS IN SAFETY TO  
ADMINISTER THE VILLAGE’S DRUG AND ALCOHOL POLICY**

WHEREAS, the Village of Nyack has ratified a Collective Bargaining Agreement with its employees which contains a Drug and Alcohol Policy; and

WHEREAS, the Village Administrator has solicited quotes for the professional services associated with administering the Drug and Alcohol Policy; and

WHEREAS, the Village Administrator has recommended the award of a contract for the administration of the Drug and Alcohol Policy with Partners in Safety, Inc., the lowest qualified bidder for the services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the contract with Partners in Safety, Inc. to administer the Village of Nyack Drug and Alcohol Policy.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Laird-White	[ X ]	[ ]	[ ]	[ ]
Trustee Parker	[ X ]	[ ]	[ ]	[ ]
Trustee Hammond	[ X ]	[ ]	[ ]	[ ]
Trustee Foster	[ X ]	[ ]	[ ]	[ ]
Trustee Lorenzini	[ X ]	[ ]	[ ]	[ ]

Mary E. White, Village Clerk

**RESOLUTION OF THE NYACK VILLAGE BOARD**

A regular meeting of the Nyack Village Board convened on September 11, 2014 7:30

The following resolution was duly offered and seconded, to wit:  
Resolution No. 2014-58

**RESOLUTION OF THE NYACK VILLAGE BOARD  
APPROVING THE BLOW AWAY BREAST CONCR EVENT SPONSORED  
BY THE NYACK HOSPITAL FOUNDATION**

WHEREAS, the Nyack Hospital Foundation has requested permission to hold its annual 5K Blow Away Breast Cancer Run/Walk on October 12, 2014; and

WHEREAS, the Village Board of Trustees is desirous of supporting this community event;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby approves the use of Village streets along the route proposed by the Nyack Hospital Foundation for its annual 5K Blow Away Breast Cancer Run/Walk on October 12, 2014”.

BE IT FURTHER RESOLVED that the Village Board directs the Village Clerk to interface with the Nyack Hospital Foundation representatives to secure all necessary permits and insurance certificates associated with this approval.

BE IT FURTHER RESOLVED that the Applicant is directed to comply with all Village ordinances and interface with the Orangetown Police Department prior to the event.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	Yea	Nay	Abstain	Absent
Mayor Laird-White	[ X]	[ ]	[ ]	[ ]
Trustee Parker	[ X]	[ ]	[ ]	[ ]
Trustee Hammond	[ X]	[ ]	[ ]	[ ]
Trustee Foster	[ X]	[ ]	[ ]	[ ]
Trustee Lorenzini	[ X]	[ ]	[ ]	[ ]

Mary E. White, Village Clerk

**RESOLUTION OF THE NYACK VILLAGE BOARD**

A regular meeting of the Nyack Village Board convened September 11, 2014, at 7:30

The following resolution was duly offered and seconded, to wit:  
Resolution No. 2014-59

**RESOLUTION OF THE NYACK VILLAGE BOARD  
TO AWARD THE BROADWAY ADA RAMP INSTALLATION CONTRACT**

WHEREAS, the Village of Nyack has previously advertized for public bid the public works project known as the “Broadway ADA Ramps 2014” project pursuant to the requirements of General Municipal Law 103 et. seq., and

WHEREAS, the bids were opened on August 14, 2014;

WHEREAS, the low bidder on the project was M. Ingannamorte & Sons, Inc. (with a bid of \$118,754.00).

WHEREAS, the Village Engineer has reviewed the references supplied by the low bidder, and has found that the low bidder appears to be the lowest responsible bidder on the project.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NYACK VILLAGE BOARD AS FOLLOWS:

That the Nyack Village Board hereby awards the contract for the public works project known as the “Broadway ADA Ramps 2014” to the low bidder M. Ingannamorte & Sons, Inc. (in the amount of \$118,754.00)., and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract for the public works contract referenced herein.

The question of the adoption of the foregoing Resolution was duly put to a vote, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Laird-White	[ X ]	[ ]	[ ]	[ ]
Trustee Parker	[ X ]	[ ]	[ ]	[ ]
Trustee Hammond	[ X ]	[ ]	[ ]	[ ]
Trustee Foster	[ X ]	[ ]	[ ]	[ ]
Trustee Lorenzini	[ X ]	[ ]	[ ]	[ ]

Mary E. White, Village Clerk