

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm on Thursday, November 21st, 2013 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White:

PRESENT:	Jen Laird-White	Mayor
	Louise Parker	Trustee
	Doug Foster	Trustee
	Don Hammond	Trustee
	Marie Lorenzini	Trustee

ALSO PRESENT:	Jim Politi	Village Administrator
	Mary E. White	Village Clerk

ABSENT:	Walter Sevastian	Village Attorney
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PLEDGE OF ALLEGIANCE

NYACK THANKS.....

ADOPTION OF MINUTES

Regular meeting –November 14, 2013

Minutes were approved as presented with a motion from Trustee Hammond, seconded by Trustee Foster. Motion passed by unanimous vote.

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

Action Items:

Resolution No. 2013-72 Resolution to approve a grant application for funding under the Greenway Communities Grant Program (*Sustainability Planning and Outreach Program*).

Moved by Trustee Parker, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-73 Resolution to approve a grant application to NYS Department of Environmental Conservation (NYSDEC) for a Tree inventory project.

Moved by Trustee Lorenzini, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-74 Resolution approving proposed budget transfers in connection with in connection with adjustments to the fiscal year 2013-2014 Budget Year

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

Resolution No. 2013-75 Resolution to approve establishing a contract with Duncan Solutions, Inc. for collection of delinquent parking tickets and other outstanding tickets issued by the Nyack Parking Authority.
Moved by Trustee Parker, seconded by Trustee Lorenzini to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-76 Resolution memorializing the goals of the Village Board for the Land Use Technical Committee (LUTC).
Moved by Trustee Parker, seconded by Trustee Hammond to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-77 Resolution awarding ‘50/50 Sidewalk’ repair contract to M. Ingannamorte & Sons.
Moved by Trustee Parker, seconded by Trustee Lorenzini to adopt as presented. Motion passed by unanimous vote.

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

Public Hearing(s):

Old Business

Department Reports to the Board

- Orangetown Police Department
Mayor Laird-White gave a brief report.
 - At 7:481pm, Trustee Parker moved to approve an Executive session to discuss matter of contract and personnel. Trustee Hammond seconded the motion and it passed unanimously.
- Village Administrator
No report
- Village Attorney
No report
- Village Clerk
Water Commissioner appointment
Trustee Hammond moved, Trustee Parker seconded motion to accept recommendation of the Water Board to appoint John Carleo as Commissioner, completing unexpired term of Michael Kaneletz (2015). Motion passed by unanimous vote.

Communications

New Business

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

Drew Burke-Nyack Senior Center (90 Depew)
Mr. Burke spoke to the Board about maintenance/repairs at the Center.
He also thanked the Mayor and the Administrator for attending a recent meeting with tenants of Nyack Housing.

Comments from the Board of Trustees

-Trustee Hammond made a motion to accept offer from American Express to pay for parking in the Village in connection with “Small Business Saturday” on November 30, 2013 (up to \$1,500). Trustee Parker seconded the motion and it passed unanimously.

The Village Clerk and Administrator will coordinate additional requirements.

-Trustee Hammond reported that he attended meetings of the Nyack School Board and asked that the Village be consulted for environmental comment in connection with their upcoming construction projects.

-Trustee Parker inquired as to process of donation of signage of a Historical nature in the Village.

Executive Session (if any)

At 7:58pm, Trustee Hammond moved to go into Executive Session to discuss a matter of contract and personnel. Trustee Lorenzini seconded the motion and it passed unanimously.

At 8:23pm, it was moved by Trustee Parker, 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 Parker moved to close the regular meeting. Trustee Hammond seconded the motion and it was passed unanimously at 8:24pm.

Respectfully submitted.
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013- 72

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE A
GRANT APPLICATION UNDER THE GREENWAY COMMUNITIES
GRANT PROGRAM**

WHEREAS, the Village of Nyack New York is applying to the Hudson River Valley Greenway for a grant under the Greenway Communities Grant Program for a project entitled Sustainability Planning and Outreach Coordination to be located in the Village of Nyack, NY, and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality or municipalities in which the project will be located;

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

That the governing board of the Village of Nyack hereby does approve and endorse the application for a grant under the Urban and Community Forestry Grant Program, for a project known as Sustainability Planning and Outreach Coordination located within this community.

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 was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013- 73

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE A
GRANT APPLICATION THROUGH NYSDEC FOR A
TREE INVENTORY PROJECT**

WHEREAS, the Village of Nyack is applying to the New York State Department of Environmental Conservation for a tree inventory project grant under the Urban and Community Forestry Program, and

WHEREAS, the grant application requires the applicant municipality to obtain the approval/endorsement of the governing body of the municipality in which the project will be located.

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

That the Mayor of the Village of Nyack, is hereby authorized to file a grant application for a grant under the Urban and Community Forest Program for a project known as Tree Inventory located within the Village of Nyack,

BE IT FURTHER RESOLVED that upon approval of said request the Mayor is authorized to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to the Village of Nyack for its tree inventory project.

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]	[]	[]	[]

I, Mary White, Village Clerk of the Village of Nyack New York, do hereby certify that the following resolution was adopted at a regular meeting of the Village Board held on November 21, 2013, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended or revoked and is in full force and effect.

Mary E. White, Village Clerk

(Official Seal)

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-74

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE
BUDGET TRANSFERS SUBMITTED BY THE VILLAGE TREASURER**

WHEREAS, the Treasurer for the Village of Nyack has submitted a list of proposed budget transfers in connection with adjusting the fiscal year 2013-2014 Budget Year to the Board of Trustees for its approval, and

WHEREAS, the Village Board has reviewed the proposed budget transfers and finds them to be necessary and appropriate,

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

That the Nyack Village Board hereby approves the Budget Transfers set forth herein below and directs the Village Treasurer to enter the same on the budget lines reflected therein.

1. Appropriating from Fund Balance acct #A 910 \$ 128,000 to be used for the following purposes that were not included in the 2013-14 budget:

(i) Increase Employee buybacks A.9690.9 by \$ 30,000 to reflect the current utilization of account.

(ii) Increase Building, Contractual A 1620.4 by \$ 55,000 for the purpose of installing a generator Switch in Village Hall (\$40,000), and the replacement of air conditioning unit at the Senior housing building,(\$ 15,000).

(iii) Increase Sidewalks contractual A 5410.4 Sidewalks contractual by \$ 43,000 for the reconstruction of sidewalks in front of River Club (\$ 18,000), and to fund Villages share of 50/50 sidewalk program (\$25,000).

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 was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-75

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE A
CONTRACT WITH DUNCAN SOLUTIONS, INC. FOR THE
COLLECTION OF DELINQUENT PARKING TICKETS**

WHEREAS, the Village Treasurer has sought proposals for professional services regarding the collection of unpaid delinquent parking tickets and other outstanding tickets issued by the Village of Nyack Parking Authority, and

WHEREAS, the Village of Nyack is desirous of establishing a contract with Duncan Solutions, Inc. for such services.

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

That the Mayor is authorized to execute a contract with Duncan Solutions, Inc, for professional services in connection with the collection of unpaid delinquent parking and non-moving traffic violation debt, subject to the approval of the contract terms by the Village Attorney.

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 was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013- 76

RESOLUTION OF THE NYACK VILLAGE BOARD TO MEMORIALIZE THE VILLAGE BOARD'S GOALS FOR THE LAND USE TECHNICAL REVIEW COMMITTEE (LUTC)

WHEREAS, the Village has previously appointed a Land Use Technical Review Committee ("LUTC") to, *inter alia*, review the land use processing procedures in place in the Village, and

WHEREAS, the LUTC has requested a further clarification of the policy goals that the Village Board is seeking the LUTC to consider, specifically as pertains to the land use processing procedures, in making its recommendations to the Village Board of Trustees.

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

That the Village Board hereby provides the following goals to the LUTC:

1. ***Reduce the burden on Land Use Boards***, making the process more understandable, with less duplication and complication, more clarity for each board's roles and responsibilities and provide more time for boards to focus on providing more effective and timely review with better outcomes for both board members and applicants.
2. ***Reduce the burden on the Building Department***, provide less time and staff resources for board administration, provide more clarity to the code with less complicated procedures, possible reduction of variance requests with more time and focus on plan review.
3. ***Make the Land Use Process more Understandable and Predictable for Applicants and Reduce the burden on homeowners for smaller property improvements/modifications***, more clarity, less board duplication, *reduction in possible variance requests, reduce number of smaller applications with less demand for staff, administrative and board resources, more timely and efficient process, more predictable outcome.*
4. ***Protect and Maintain the Integrity of Community Character.***

BE IT FURTHER RESOLVED that the LUTC provide the Village Board with recommendations regarding its review of the current land use review processes in place taking into account the goals set forth 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

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on November 21, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013- 77

**RESOLUTION OF THE NYACK VILLAGE BOARD
TO AWARD THE NYACK 50/50 SIDEWALK
REPLACEMENT CONTRACT**

WHEREAS, the Village of Nyack has previously advertized for public bid the public works project known as the “Nyack 50/50 Sidewalk Repairs” pursuant to the requirements of General Municipal Law 103 et.seq., and

WHEREAS, the bids were opened on November 21, 2013;

WHEREAS, the low bidder on the project was M. Ingannamorte and Sons, Inc.(with a total bid of \$53,325.00).

WHEREAS, the Village’s Consulting Engineer, Eve M. Mancuso and Brooker Engineering, 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 AS FOLLOWS: that the Nyack Village Board hereby awards the contract for the public works project known as the “Nyack 50/50 Sidewalk Repairs” to the low bidder M. Ingannamorte and Sons, Inc., 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