

Regular meeting of the Board of Trustees held at 7:30pm on Thursday, February 26th, 2009 at Village Hall, 9 North Broadway, Nyack NY.

Hon. John Shields presiding:

PRESENT: John H Shields Mayor
 Denise Hogan Trustee
 Louise Parker Trustee
 Richard Kavesh Trustee
 Marie Lorenzini Trustee (arrived 8:23pm)

ALSO PRESENT: Walter R. Sevastian Village Attorney
 John J Cincotta Village Treasurer
 Mary E White Village Clerk

Pledge of Allegiance

Adoption of Minutes:

Tr. Parker moved to adopt minutes for regular meeting of February 12th, 2009 as presented. Tr. Hogan seconded the motion and it passed unanimously.

Public Comment

- D. Darbonne/N. Gunderson** – *2009 Quadricentennial*
Due to illness, item deferred to next meeting (3/13/09).
- J. Saunders** – *Noise Ordinance*
Not present.
- R. Kroll** – *Parking*
Not present.

Reports to the Board

Treasurer:

-Tr. Parker made a motion, Tr. Kavesh seconded motion to begin process of surplussing all old parking meters. Motion passed unanimously.

-The Treasurer reported that he has submitted 3 projects for funding under the recent Stimulus plan.

-Recent ad in the Rivertown magazine mentioned camping as part of the Amazing Grace Circus. Tr. Parker made a motion, Tr. Hogan seconded the motion re-affirming specifics of the board's previous approval for this event and these must be abided by. The Village Clerk was directed to correspond with Mr. Pellegrini for clarification.

Village Attorney:

-Status given to the board on the Zoning code revision review. PACE University has declined to take on this project. R. C. Department of Planning suggested solicitation of proposals. Additional details to follow.

-Tr. Hogan moved to adopt resolution confirming the position of Village Attorney in the Village of Nyack. Tr. Parker seconded the motion and it passed unanimously by roll call vote.

Department of Public Works (V. Overton):

-Report given to the board. Mayor Shields made a motion to increase banner permit fee to \$225.00, with a relocation fee of \$100.00 for each move. Tr. Kavesh seconded the motion and it passed unanimously. Mr. Overton suggested the board consider further changes to this process for the 2010 season.

-Tr. Parker moved to approve increase of road opening permit fees for ALL utilities from \$15 to \$200/ per repair, effective 4/1/09. This will be communicated in writing as soon as possible.

-Discussion on street fair clean-up is deferred to budget workshops. Meeting is scheduled with the Chamber representative (Mr. Clark) March 10th @ 10am.

-Tr. Parker approved offering a new hire for the position of mechanic the current rate in accordance with the union contract. Tr. Hogan seconded the motion and it passed by unanimous vote.

Village Clerk:

-Tr. Kavesh made a motion to adopt, by resolution, the budget of the Nyack Housing Authority for FY2010. Tr. Parker seconded the motion and it passed with a unanimous roll call vote.

-Tr. Hogan made a motion to approve request to honor clerks of Village Hall during 'Municipal Clerks Week' (May 3-9, 2009). Tr. Kavesh seconded the motion and it passed unanimously.

Public Hearing

Reports from the Board

Mayor Shields:

-Mayor Shields made a motion to approve change in effective date of parking meter rate increase to .75 cents/hour. The effective date is changed from 6/1/2009 to **4/6/2009**.

Tr. Kavesh seconded the motion and was passed unanimously. The Village Clerk was directed to inform the public of this decision (newspapers, etc.) as soon as possible.

- Mayor Shields made a motion to approve increase in parking fines as outlined in the attached worksheet (Column 5) effective 4/6/2009. Tr. Kavesh seconded the motion and was defeated with following roll call vote: YES – Tr. Kavesh; NO – Trs. Parker, Hogan, Lorenzini; ABSTAIN – Mayor Shields.

The following persons commented on this issue: J. Frole, R. Monahan, L. Parker, R. Kavesh, J. Dunnigan, W. Sevastian, K. Cross.

No action on Tr. Kavesh's motion to approve increase using Column 3 as a basis for further discussion.

After discussions, Tr. Hogan moved, Tr. Lorenzini seconded tabling this matter and deferring until the next board meeting (3/12/09). Motion passed with a unanimous roll call vote.

Tr. Hogan:

-Sgt. Stratner gave a brief report on the status of noise ordinance complaints and other issues. He informed the Board that O.P.D. will strictly enforce the 2:00am cut-off once in effect.

Tr. Kavesh:

-Tr. Kavesh informed the Board that a suggestion was made to name the small meeting room in Village Hall in honor of former Deputy Mayor/Trustee, Raymond O'Connell. Tr. Parker asked that other ideas/suggestions be discussed at the next board meeting (3/13). The Village Clerk was directed to keep this on the agenda as old business.
-Tr. Kavesh inquired about snow removal and other services being performed by DPW for the Nyack Housing Authority at no cost. This matter will be deferred to the budget workshop talks.

Old Business

1. Comprehensive Master Plan/Zoning Code re-write
2. Landscape Architect – Downtown Re-Vitalization
3. Snow Ordinance

Communications

- Tr. Hogan moved, Tr. Lorenzini seconded motion to approve request from the Leukemia and Lymphoma Society to hold their annual Hudson River Swim for Life on Sunday, September 13, 2009. Further details will be forthcoming. This approval is subject to receipt of the necessary insurance certificate. Motion passed by unanimous vote.
- Tr. Hogan moved, Tr. Parker seconded motion to approve request from the Nyack YMCA to use the upper field of Memorial Park as part of their 3rd annual Healthy Kids Day on Saturday, April 18, 2009 (1:30-3:30pm). This approval is subject to receipt of the necessary insurance certificate. Motion passed by unanimous vote.
-Request from Dr. Lori L. Martin was deferred to next meeting (3/13). The Village Clerk was asked to invite Dr. Martin to make a presentation to the Board.

New Business

H. Bloom – *Apollo building (260 Main St.) use*

At 9:22pm, Mayor Shields turned this portion of discussion over to Deputy Mayor.

Mr. Bloom proposes that the Village acquire the property in question, demolish the present structure and turn it into a parking lot. The Village Attorney advised the Board that this property is in foreclosure (for taxes) and he has been in talks with the County Finance Department.

After discussion, the Board informed Mr. Bloom that a donation of this property would be considered, if offered.

Parking Authority was directed to improve signage on Main St. (bet. Rt. 9W & Midland Ave.) so that people are aware of the free parking in this area.

Open Forum

B. Noyes - '*Penguin Plunge*'

Tr. Lorenzini made a motion to approve request made by Ms. Noyes for tent placement in Memorial Park for this event due to possibility of inclement weather. Mayor Shields seconded the motion and it passed unanimously, subject to necessary insurance documentation.

Kim Cross (Nyack Center) – '*Men Cooking*'

Mayor Shields moved, Tr. Hogan seconded to approve closing Depew Ave. (bet. Liberty & Broadway) on 6/7/09. Motion passed unanimously. Those present were also invited to upcoming events sponsored by the Nyack Center: 2/28 – River Rowing Assoc. ‘Pull for Purpose’
3/4 – Brunch at Nyack Center

Adjournment

There being no further business, nor anyone present wishing to be heard, Tr. Hogan moved to close the Regular meeting. Tr. Parker seconded the motion and it was passed unanimously at 9:43pm.

Respectfully submitted,
Mary E. White
Village Clerk