

**Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm
on Thursday, July 22nd, 2010 at Village Hall, 9 North Broadway, Nyack NY**

Hon. Doug Foster presiding:

PRESENT:	Richard Kavesh	Mayor
	Doug Foster	Trustee
	Steve Knowlton	Trustee
	Louise Parker	Trustee

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

ABSENT:	Jen Laird-White	Trustee
	Walter Sevastian	Village Attorney

Pledge of Allegiance

Led by Bryce Kirk

Adoption of Minutes:

Mayor Kavesh made a motion to approve minutes for regular meeting of July 8th, 2010 with the following correction: '*ABSENT: Steve Knowlton.....Trustee*'. Motion seconded by Trustee Foster and the motion was passed with a unanimous vote. Trustee Knowlton abstained due to absence.

Public Comment

Robert Henkel (Henkel Properties) – waiver of Tax payment penalties

Not present

The following persons signed up to speak during the **public comment** session:

-**Laura Greenberg (Clermont)** asked the board for clarification and direction pertaining to the removal of the sunken barge at the Marina. It was confirmed that the board is still interested in the proposal but it is dependent upon receipt of funds from SEMO. The Village Administrator will stay in contact with Mrs. Greenberg regarding this matter.

-**Jerry Donnellan and JC Brotherhood** suggested solution to the usage of the boat launch by the RRA and boaters. This matter is also under consideration by the Parks Commission.

- **Mike Murrin** asked why no violations have been issued since approved use of the launch is not being adhered to. He informed the board that the removable dock is not being removed as agreed.

Ivan Rudolph-Shabinsky was not aware of this fact but agreed it should be removed daily. **Ian Raywid** expressed concern that recent actions by the board lead him to wonder if the Marina, paid for by the taxpayers, will be 'given away'(private interests). After discussion, the matter of daily use of the boat launch by the RRA was referred to the Village Administrator and Parking Authority for clarification.

-**Desiree Mann** spoke in support of the Rowing program

Reports to the Board

Orangetown Police

Trustee Foster reported on Village monthly police meeting: items discussed included reinstatement of staffing, implementation of a neighborhood watch (Depew Manor and Clermont), dogs at street fairs, South Nyack will lend an electronic speed sign to the Village.

Village Administrator

The following issues were presented to the board:

-sidewalk repair selection process and the funding we have available thru our

Community Development Block Grant. Mayor Kavesh moved, Trustee Knowlton seconded authorizing items '1' and '2'sidewalk replacement (see attached) with possible add/alternates if funds allowed. Motion passed with the following roll call vote: YES – Mayor Kavesh, Tr. Knowlton, Tr. Foster; NO – Tr. Parker, stating the need for sidewalk repair where children travel to and from school.

-23 Main Street shoring project. Mayor Kavesh made a motion to approve expenditure of \$3,500 to the Village Engineer for shoring plan preparation. Trustee Parker seconded the motion and it passed unanimously. Contingency line will be charged.

-Nugent & Haeussler's proposal for Assessment of Internal Accounting Controls.

Trustee Knowlton moved, Mayor Kavesh seconded motion to approve expenditure not to exceed \$9,000 for risk assessment/internal accounting controls review. Motion passed unanimously. PT Accountant line will be charged.

-Public Sector HR Consultants' proposal to develop and implement a Workplace Violence Prevention Program.

Mayor Kavesh moved, Trustee Foster seconded motion approving proposal with an estimated cost of \$5,500 (plus travel expense-mileage/tolls). Line 8170 will be charged. Motion passed unanimously.

Village Clerk

The Village Clerk reported on the following:

- 'Taz' Memorial report of excessively loud music with inappropriate language, lack of permission to hold a 'rain dated' event.

-Street Fair vendor update. Draft of vendor application was submitted for review. The Village Clerk asked for direction regarding implementation of the \$25 vendor fee under a recently passed local law.

The following persons also commented on the recently amended local law assessing a \$25 fee/vendor in the Village: Gina Cambre, John Costa, Jack Dunnigan, Marianne Olive, Marion Breland, and Shel Haber.

After discussion and comments from the board, Trustee Knowlton moved to suspend enforcement of the local law for 30 days pending collaborative discussion with the Chamber of Commerce, ACADA, and the business community. Trustee Parker seconded the motion and it passed with the following roll call vote: YES- Trustees Foster, Parker, Knowlton; NO – Mayor Kavesh.

In reply to the allegation of the board being 'non-transparent' and not personally informing ACADA and Chamber of the amended law, Trustee Knowlton asked those present if it were not unreasonable to ask that a representative of the business community attend board meetings on a regular basis so as to avoid any further miscommunication.

-Mayor Kavesh will meet with representatives from the Chamber and ACADA regarding recently submitted street fair invoices.

- Report given to board on Tax collections

Public Hearing

Committee Reports

Public Works & Building

- At 8:32pm, Trustee Knowlton moved to hold an Executive Session to discuss matters of personnel. Motion seconded by Trustee Parker and passed by unanimous vote

Infrastructure

Economic Development

- 'Superblock' feasibility study report .Community meeting scheduled for weeks of 9/13. "Pre-meeting" to arrange this scheduled for week of August 30.

Information Technology - Improvements continue

Residential

-Trustee Parker informed the board of the urgency in appointing additional members to the Housing Authority.

- Applications are now being accepted for the affordable housing at 207 Depew Ave.

Inter-Governmental Relations

Mayor Kavesh gave a brief report on:

-Senator Schumer has placed the request for funding of the Nyack Center on a 'fast-track'

Parks & Recreation

Budget, Finance, and Administration

Old Business

Home Rule (birth/death certificates)-

Due to the absence of the Village Attorney and Trustee Laird-White, Mayor Kavesh proposed and the Board decided that this matter be deferred to next meeting (August 12th).

Nyack Center Agreement-

Trustee Knowlton moved, Trustee Parker seconded motion authorizing the Mayor to sign agreement with Nyack center for FY 2010-2011. Motion passed unanimously.

Communication

- Tr. Parker made a motion to approve request from Silver Springs Vineyard Church to have "Not Your Momma's Church Music Festival" in Memorial Park (September 18 @ 9am-4pm) subject to receipt of the necessary Certificate of Insurance. Mayor Kavesh seconded the motion and it passed by unanimous vote. Rain date will be September 25th.

- Amended request from Joseph Desmarest (HADF) changing date for previously approved use of Riverspace lot for their annual Haitian Art Expo to August 15th was approved with a motion by Trustee Knowlton, seconded by Mayor Kavesh and the motion passed unanimously subject to the necessary insurance requirements.

-No action necessary for correspondence from Edner Larose regarding July 25th sidewalk procession in honor the Mass of Saint Ann.

-Moved by Trustee Parker, seconded by Trustee Knowlton to approve request from Friend of the Nyacks and ArtsRock to use the lower field of Memorial Park for the rescheduled 'Hula Hoop Festival on October 2nd (8:30am-1:00pm). Motion passed unanimously subject to the necessary insurance requirement.

-Correspondence from Mark Dery (82 Elysian Avenue) pertaining to alleged lack of enforcement of noise ordinance violations was referred to the building department and Orangetown P.D.

-Correspondence from Linda Ackerman regarding Parking Authority personnel was referred to the Village Administrator for further investigation.

-Proposal from the Nyack Library requesting Village enforcement of their parking lot was referred to the Village Administrator.

New Business

Personnel

At 9:50pm, Trustee Knowlton moved to go into executive session to discuss matter of personnel. Trustee Parker seconded the motion, passed unanimously.

At 9:55pm, Trustee Foster moved to come out of executive session. Trustee Parker seconded the motion which passed unanimously.

Trustee Knowlton made a motion to approve request from the Village Fire Inspector for a paid leave of absence (October 25th to 28th) to attend the annual ICC Conference in North Carolina. Trustee Parker seconded the motion and it passed unanimously.

Adjournment

There being no further business nor anyone present wishing to be heard, Trustee Foster moved to close the regular meeting. Mayor Kavesh seconded the motion and it was passed unanimously at 9:58pm.

Respectfully submitted,
Mary E. White
Village Clerk