

**Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm  
on Thursday, August 26<sup>th</sup>, 2010 at Village Hall, 9 North Broadway, Nyack NY**

Hon. Richard Kavesh presiding:

PRESENT:	Richard Kavesh	Mayor
	Doug Foster	Trustee
	Steve Knowlton	Trustee
	Louise Parker	Trustee
	Jen Laird-White	Trustee

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

**Pledge of Allegiance**

Led by Jennie Chien

**Adoption of Minutes:**

Mayor Kavesh made a motion to approve minutes for regular meeting of August 26<sup>th</sup>, 2010 with necessary corrections. Trustee Parker seconded the motion and it passed unanimously.

**Public Comment**

**NyackSeaport/Lena's (Angelo Rubino)-property alteration/renovation**

Request was discussed during pre-meeting workshop, and subsequently deferred to Building Department and Village Attorney.

**Village Gate Way residents – Oak Hill Cemetery (see below)**

The Village Attorney addressed those present regarding the status of this issue. An 'Order to Remedy' has been issued to Oakhill Cemetery by the Building Department and a Court appearance ticket issued for 9/23/2010 (9:30am) for alleged violations.

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

**-Jeremy Skehan** (297 High Ave) inquired as to the reason for alternate side of the street parking rules in light of limited parking in the Village. After discussion, Mayor Kavesh informed Mr. Skehan that he would contact him after some more research.

**-Andrea Martone, Jennie Chien, and Linda Arico** expressed their concerns with the alleged violations and "blatant" disregard of Village law and the residents by Oakhill Cemetery. Mayor Kavesh asked the Village Attorney to address the concerns (see above). The Attorney also advised that because of pending litigation, all inquiries, correspondences, etc. must go through the attorneys for each party.

**-Jerry Donnellan** spoke regarding the economic effect the placement of the EcoDock would have on the Marina. Trustee Knowlton asked Mr. Donnellan to speak with representatives of the RRA on this matter.

**-Lisa Winjum** (Planned Parenthood Hudson Peconic) asked that the board consider her request of a public statement concerning the flagpole and the subsequent display of various flags. After discussion, Mayor Kavesh assured Ms. Winjum that he and the Village Attorney will be in contact with her.

**-Joseph Adams** requested adoption of a resolution by the Village Board to designate his office (currently 10 S. Broadway) as 76 Burd Street. Trustee Knowlton moved, Trustee Laird-White seconded the motion, and it was passed unanimously.

## **Reports to the Board**

### **Orangetown Police Department**

Letter of commendation from OPD pertaining to a recent bank robbery (Trustco Bank) was noted and discussed

### **Village Administrator**

The following issues/reports were presented to the board:

1. - Contract for CDBG Sidewalk Reconstruction Project awarded to Ingannamorte and Son at the recommendation of Brooker Engineering with a motion by Trustee Knowlton, seconded by Mayor Kavesh. The motion passed by unanimous vote.
2. The Nyack DPW Garage Flood will require a Public Adjuster to present a claim to Selective for the equipment lose we suffered. Based on Jerry Trupin's request and review of proposals, he has suggested that the Board retain Paul Guttman & Company for this work. Motion made by Trustee Knowlton, seconded by Trustee Laird-White and passed unanimously.
3. McClaren Engineering Group's proposal for the Nyack Marina's barge removal project permit (NYS DEC, Corps of Engineers, NYS DOS Coastal Management Program) was approved with a motion by Trustee Knowlton, a second by Trustee Parker. Motion passed unanimously.
4. Asphalt Bid Proposal for in-place asphalt pavement for various streets in a inter-municipal bid with the Village of South Nyack. The proposal offers a two year contract by Tilcon NY, Inc. Proposal was accepted with a motion by Trustee Knowlton, seconded by Trustee Foster and passed by unanimous vote.
5. Motioned by Trustee Knowlton, seconded by Trustee Parker authorizing the Mayor to sign agreement for filing by Troy & Banks, Inc., utility consultants on behalf of the Village.

### **Village Attorney**

- Attorney reported that the Nyack Plaza lawsuit against the Village (Urban Renewal) has been dismissed.

### **Department of Public Works**

-Trustee Knowlton publically commended Victor Overton and employees of the Public Works Department for their excellent work/effort in light of the recent flooding at 63 Catherine Street. Mayor Kavesh also thanked Trustee Knowlton for his work with the DPW. The Village Administrator also commented that the services of the DPW were maintained effortlessly in spite of the damages sustained.

### **Parking Authority**

-First round of interviews for FT/PT parking enforcement aides have been completed.

### **Village Clerk**

The Village Clerk reported on the following:

- Report given to board on Tax collections

## **Public Hearing**

### **Committee Reports**

#### *Public Works & Building*

#### *Infrastructure*

#### *Economic Development*

- 'Superblock' feasibility study report .Community meeting scheduled for 9/14 to be held at the Nyack Center and "Pre-meeting" to arrange this scheduled for September 9.

#### *Information Technology*

#### *Residential*

#### *Inter-Governmental Relations*

- Senator Kirsten Gillibrand visited Farmer's Market today.

- Orangetown PD is working toward a collaborative effort with the Village and Community in addressing various quality of life issues. Possible solutions include a Neighborhood watch. Upcoming meeting dates to be announced.
- Breakfast program to receive funding from the Housing Authority.
- Howard Hellman asked for a 'unification' meeting with the Village and merchants.

#### *Parks & Recreation*

-Trustee Laird-White moved, Trustee Foster seconded the motion to adopt the following resolution:  
*The Village of Nyack desires to modify its existing Eco Dock application in order to locate the dock approximately 100 yards to the south of the original proposal. Expected use for Nyack's Eco Dock remains unchanged from the original proposal. The reason for this change is two-fold. First, the marina where the original application proposed locating the Eco Dock suffered significant damage during a recent storm and requires substantial repair which may take time to complete and which may interfere with the speedy construction of the Eco Dock. Second, in reviewing the expected usage with a broader constituency of boaters, concern was raised that placing the Eco Dock inside a marina that is still expected to see significant motor boating traffic could lead to the possibility of an accident and potential injury to the rowers and paddlers who would be potentially difficult to see in close quarters. The Village of Nyack asks that McLaren Engineering modify the existing Eco Dock application as needed to secure permission to construct in the new proposed location just south of the existing municipal dock.*

Trustee Foster seconded the motion which passed unanimously

#### *Budget, Finance, and Administration*

#### **Old Business**

*Sidewalk repair – 74 Sickles Avenue*

Trustee Laird-White moved to authorize expenditure of \$1,280 to repair up to 20 feet of sidewalk damaged by the Village. Trustee Foster seconded the motion and it passed unanimously.

#### **Communication**

##### **New Business**

**J. Dunnigan (ACADA)** – Vendor fees

Public hearing scheduled for 10/14/2010 @8pm to discuss Chapter 26-9 of the Village Code entitled, *Fee Schedule*.

#### **Executive Session**

At 9:02pm, Mayor Kavesh moved to enter into executive session to discuss matters of finance (Village Audit) and matter of Attorney-Client privilege. Trustee Parker seconded the motion and it passed unanimously.

At 10:06pm, Trustee Knowlton moved to come out of executive session, Trustee Parker seconded the motion and it passed unanimously.

#### **Adjournment**

There being no further business nor anyone present wishing to be heard, Trustee Parker moved to close the regular meeting. Trustee Knowlton seconded the motion and it was passed unanimously at 10:08pm.

Respectfully submitted,  
Mary E. White  
Village Clerk