

**Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 7:30pm
on Thursday, September 23rd, 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 (Arrived 7:38pm)
	James Politi	Village Administrator
	Mary E. White	Village Clerk

Pledge of Allegiance

Adoption of Minutes:

Trustee Knowlton made a motion to approve minutes for regular meeting of September 13th, 2010 as presented. Trustee Parker seconded the motion and it passed unanimously.

Public Comment

Chamber of Commerce (Carlo Pellegrini) – *Halloween Parade*

Carlo Pellegrini made a presentation to the board (see attached) topics included Halloween parade details ,request for official Village logo for publication/advertising , parade rain date(pending), DPW charges (waived).

Pumpkin decorating event approved for 10/21(4:30pm-6pm) at LaFontana with a motion by Trustee Knowlton, seconded by Trustee Parker. Motion passed unanimously. Request referred to Parking Authority for additional clarification of details.

Dog costume/mini parade request was deferred to a later date for clarification.

Farmer's Market free parking program signage request and audit request was deferred pending discussion with the Village Administrator and the Parking Authority.

Mercury Productions, LLC (R. Kupferwasser) – *Filming request*

Not present, request withdrawn.

Bob Squeo (DockMaster) – *Marina*

Mr. Squeo's inquiry as to the issue of winter storage for watercraft in the Marina was deferred. Meeting will be scheduled with the Village Administrator, Rick Gilbert (McLaren Assoc) and Jerry Donnellan to discuss location options..

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

-Luis Febo (100 Main St) asked for information on the Village noise ordinance. He also expressed his concern and frustration with new establishment, *Pour House*. Mr. Febo reported that the noise level is excessive and is infringing on his quality of life. Alleged code violations are occurring on a regular basis, such as an inflatable 'beer mug' on the roof-next to Mr. Febo's bedroom have been witnessed and photographed. Trustee Laird-White took Mr. Febo's contact information and assured him that she would speak to the police/building department about this matter.

-John Fellas (Nyack Headstart) asked that he be included in any and all negotiations pertaining to the proposed contract for Nyack Headstart. The Village Attorney will stay in touch with Mr. Fellas regarding this issue.

Reports to the Board

Orangetown Police Department

-Trustee Laird-White reported that the first of a series of meetings with Chief Nulty (OPD) is to be scheduled with Community Housing Corp. (Nyack Plaza) to discuss a variety of issues/concerns.

Village Treasurer

- Mayor Kavesh made a motion to accept the General Fund Cash Flow statement. The Village Administrator reported that the statement 'finally' reflects accurate figures with regard to the Village's current financial state. Trustee Knowlton seconded that motion which passed by unanimous vote.

Village Administrator

The following issues/reports were presented to the board (see attached):

O & R utility audit

Village street paving

Resolutions:

*-Workplace Violence Prevention policy**

Moved by Trustee Foster, seconded by Trustee Laird-White to adopt. The motion passed unanimously.

*-Workplace Harassment policy**

Moved by Trustee Knowlton, seconded by Trustee Parker to adopt. The motion passed unanimously.

**Mandatory employee training scheduled for October 20, 2010*

-Capital Improvement policy (\$250,000)

Moved by Trustee Knowlton, seconded by Trustee Foster to adopt. The motion passed unanimously.

Sidewalk replacement proposal (see attached)-

Trustee Knowlton made a motion to accept proposal submitted by Rock Solid Contractors in the amount of \$22,042 for 7 properties under the '50/50 program'.

The Village share would be \$14,496. Trustee Foster seconded the motion which passed by unanimous vote.

Village Attorney

Nyack Headstart contract

-Deferred.

Nyack Center contract

-Trustee Knowlton made a motion to amend proposed contract as follows:

4. AGENCY agrees to maintain, in accordance with standard recognized accounting practices, accurate and complete records that enable the Village Treasurer to demonstrate full compliance with this agreement, and agrees to allow VILLAGE to inspect same upon reasonable notice during normal business hours.

and to delete paragraph 14.

The motion also authorizes the Mayor to sign said contract on behalf of the Village.

Trustee Foster seconded the motion and it passed by unanimous vote.

50/50 Sidewalk Program request forms

-Deferred.

RLUIPA

-Trustee Laird-White moved, Trustee Knowlton seconded motion to hire Steven Silverberg, Esq. as a consultant/speaker to discuss current cases/issues (\$300). Date scheduled 10/27 –time to be determined. After discussion, Trustee Knowlton moved that 1 hour education credit be given to any Land Use board member in attendance. Trustee Foster seconded the motion and it passed by unanimous vote.

At 8:39pm, Trustee Parker made a motion to have an Executive session to discuss a matter of possible litigation. Trustee Knowlton seconded the motion and it passed unanimously.

Department of Public Works

Parking Authority

- Trustee Knowlton made a motion authorizing Bryce Kirk to begin pulling the docks out of the Marina for the winter season. Trustee Parker seconded the motion which passed unanimously.
- Nyack Library parking enforcement request was deferred to a later date.
- Snow Emergency legislation deferred.

Village Clerk

The Village Clerk reported on the following:

- Streetscape project proposals bid opening scheduled for 11/18/2010-specs should be available next week.
- Village Clerk was awarded LGRMIF grant in the amount of \$9,661 for document management/access.
- Mayor Kavesh asked for a moment of silence in honor of Leonard Cooke, former Village Water Board and Housing Authority Chairperson. Mr. Cooke passed this week, funeral arrangements were announced. Trustee Knowlton made motion to have flag placed at half-mast until 9/27 at 12noon. Trustee Foster seconded the motion which passed unanimously.

Public Hearing

Committee Reports

Public Works & Building

Trustee Knowlton reported on:

- DPW staff scheduled to move back in to garage next
- Marina Insurance update given, negotiations still taking place.

Infrastructure

Economic Development

Trustee Foster reported on:

- 'Superblock' feasibility study report update given. Public thanks given to Nyack Center for hosting the Community meeting.

Information Technology

Residential

Inter-Governmental Relations

Trustee Laird-White reported on the following:

- meeting with Orangetown Supervisor next week
- Nyack school meeting date to be announced
- report given on this week's meeting with Montclair NJ parking representative. Follow-up meeting with merchants and others to be announced

Parks & Recreation

Trustee Laird-White reported on the following:

- Parks Commission will present to the Board a proposal for procedures pertaining to the Marina date to be announced.

Budget, Finance, and Administration

Old Business

Communication

New Business

Executive Session

At 8:54pm, Trustee Knowlton moved to enter into executive session to discuss matters of finance and personnel. Trustee Parker seconded the motion and it passed unanimously.

At 9:54pm, Trustee Knowlton moved to come out of executive session, Trustee Laird-White seconded the motion and it passed unanimously.

Trustee Knowlton moved, Trustee Knowlton seconded motion to approve promotion of Johnny Otero to full-time clerk typist. Motion passed by unanimous vote.

Adjournment

There being no further business nor anyone present wishing to be heard, Mayor Kavesh moved to close the regular meeting. Trustee Laird-White seconded the motion and it was passed unanimously at 10:00pm.

Respectfully submitted,
Mary E. White
Village Clerk