

VILLAGE OF NYACK

9 North Broadway
Nyack, New York 10960

Village Board Meeting & 2018 Annual Re-Organizational Meeting

Tuesday, January 11th, 2018
7:30pm

- I. **Pledge of Allegiance**
- II. **“Nyack Thanks” -**
- III. **Adoption of Minutes - December 14th, 2017 – (see attachment #1)**
- IV. **Public Comment - Discussion of Action Items Only – 3 Minute Time Limit**
- V. **Action Items:**
 - 1. **Resolution No. 2018 – 2 -** Resolution of the Nyack Village Board to accept Audited Voucher Summary #1 - 2018. (see attachment #2)
 - 2. **Resolution No. 2018 – 3 -** Resolution of the Nyack Village Board to approve a Bond Resolution authorizing the construction of improvements to Village Hall, stating the estimated maximum cost thereof is \$100,00.00. (see attachment #3)
 - 3. **Resolution No. 2018 – 4 –** Resolution of the Nyack Village Board to approve the Slate of Reappointments of selected Village officials and various members of the Land Use Boards and Commissions. (see attachments #4, #5 and #6)
 - 4. **Resolution No. 2018 – 5 - –** Resolution of the Nyack Village Board to approve the Bond funding for the purchase of new packer truck for the Department of Public Works. (see attachment #7)
- VI. **Public Comment – Open Public Discussion / Any Topic – 3 Minute Time Limit**
- VII. **Public Hearing(s):**

VIII. Department Reports to the Board of Trustees

- Orangetown Police Department
- Village Attorney
- Village Administrator
- Village Planner
- Village Clerk

IX. Old Business

- Land Use Technical Committee
- Vendor Applications/Process
- Nyack Marina/Restaurant

X. Communications

- Jack Jill of America, Inc., silent march request for gun control policies.
- First Ave. tree removal request and review of options.
- Penguin Plunge event date request

XI. New Business

XII. **Public Comment** – Open Public Discussion / Any Topic – 3 Minute Time Limit

XIII. **Comments from the Village Board of Trustees**

XIV. **Executive Session** – Personnel & Acquisition of Property at 4 Depew Avenue

XV. **Adjournment**

Attachment #1

Minutes of the Regular meeting of the Village of Nyack Board of Trustees held at 7:30 pm on Thursday, December 14th, 2017 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White presiding:

PRESENT	Jen Laird-White	Mayor
	Marie Lorenzini	Trustee
	Elijah Reichlin-Melnick	Trustee
	Louise Parker	Trustee
	Donna Lightfoot-Cooper	Trustee
ALSO PRESENT:	James C. Politi	Village Administrator
	Patricia M. Evans	Deputy Village Clerk
	Walter Sevastian	Village Attorney
ABSENT:	Mary E. White	Village Clerk

Pledge of Allegiance

Mayor Jen Laird-White opened Special Meeting at 7:30 with the Pledge of Allegiance

'Nyack thanks....'

Adoption of Minutes

Regular Meeting of November 9th, 2017

Special Meeting of November 29th, 2017

Minutes of Special Meeting were approved by motion from Trustee Reichlin-Melnick, seconded by Trustee Lorenzini

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

Action Items:

Resolution No. 2017 – 87 Resolution of the Nyack Village Board to accept Audited voucher summary #2017-10

Moved by Trustee Lorenzini, seconded by Trustee Lightfoot-Cooper to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2017 - 88 Resolution of the Nyack Village Board to approve the 7th Annual Toy Giveaway by Nasir Gulifield at the Senior Center on Saturday December 23rd,2017, from 1:00pm to 6:00pn.

Moved by Trustee Parker, seconded by Trustee Lightfoot-Cooper to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2017 - 89 Resolution of the Nyack Village Board to acknowledge the intent to develop a group home per the Padavan Law at 170 North Broadway by ARC Residential Housing

Moved by Trustee Lorenzini, seconded by Trustee Reichlin-Melnick to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2017 - 90 Resolution of the Nyack Village Board to approve Holiday Parking from November 23, 2017 to December 31, 2017

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

Resolution No. 2017-91 Resolution of the Nyack Village Board to approve the release of a performance bond for sewer extension on Kolb Place in Nyack

Moved by Trustee Lorenzini, seconded by Trustee Reichlin-Melnick to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2017-92 Resolution of the Nyack Village Board to approve the continued mooring of the Nyack Joint Fire District's fire & emergency boat through the winter months and to allow the electrical service to remain on for the operation of a "bubbler" in the marina

Moved by Trustee Lorenzini seconded by Trustee Parker to adopt resolution as presented. Motion passed by unanimous vote

Resolution No. 2017-93 Resolution of the Nyack Village Board motion to approve Jennifer Hetling as Interim Village Clerk

Moved by Trustee Parker, seconded by Trustee Lightfoot-Cooper to adopt resolution as presented. Motion passed by unanimous vote

Resolution No. 2017-94 Resolution of the Nyack Village Board to Authorize the Submission of a 211 Waiver request for Vincent Fiorentino for the position of Fire Inspector

Moved by Trustee Lorenzini, seconded by Trustee Reichlin-Melnick to adopt resolution as presented. Motion passed by unanimous vote.

Public Comment – (Open Public Discussion/Any Topic – 3 minute time limit)
No public comment

Public Hearing:

Department Reports to the Board of Trustees

- *Orangetown Police Department*
No report.
- *Village Attorney*
No report.
- *Village Planner*
No report
- *Village Administrator*
Directed to compile names for CDBG citizen advisory committee and schedule meeting with members
- *Village Clerk*
No report

Old Business

- *Land Use Technical Committee*
- *Vendor Applications/process*
- *Nyack Marina/Restaurant*

Communications

- o Grace Episcopal Church Block party request. The proposed site would be on First Avenue, between Jefferson Street and Franklin Avenue on Saturday May 19th, 2018, from

11:00am to 4pm. – *The Board will okay event based on moving the event to Jefferson Street between First Street and Third Avenue.*

- Nyack Nursery School of the Nyacks request that the Village consider the installation of “speed bumps” on N. Franklin Street , east and west of Sickles Avenue. – *Referred to Village Administrator to contact Mike Galante traffic engineer , to schedule public workshop to review request*

New Business

Public Comment *(Open Public Discussion/Any Topic – 3 Minute Time Limit)*

Comments from the Board of Trustees

Executive Session

Personnel

At 8:15pm, Trustee Parker moved to go into Executive Session to discuss *personnel* matters. Trustee Lightfoot-Cooper seconded the motion and it was passed unanimously.

At 9:22pm, it was moved by Trustee Reichlin-Melnick, seconded by Trustee Lorenzini 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 Lorenzini seconded the motion and it was passed unanimously at 9:23pm.

Respectfully submitted,
Jennifer Hetling
Interim Village Clerk

Attachment #2

RESOLUTION OF THE NYACK VILLAGE BOARD

**A regular meeting of the Nyack Village Board was convened on January 11th, 2018
At 7:30pm**

Resolution No. 2018 - 2

**RESOLUTION OF THE NYACK VILLAGE BOARD
ACCEPTING AUDITED VOUCHER SUMMARY #1-2018**

WHEREAS, the Audited Voucher Summary #1-2018 was presented to the Nyack Village Board of trustees at its regularly scheduled meeting of January 11th, 2018.

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

RESOLVED, that General Fund Claims set forth on pages 1 through ___ in the aggregate amount of \$ _____ as set forth on Audited Voucher Summary #1-2018 dated January 11th, 2018 as submitted by the Village Treasurer, are hereby approved.

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 Hammond	[]	[]	[]	[]
Trustee Parker	[]	[]	[]	[]
Trustee Lightfoot-Cooper	[]	[]	[]	[]
Trustee Reichlin-Melnick	[]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[]

Jennifer Hetling, Interim Village Clerk

Attachment #3

**HAWKINS
Delafield & Wood, LLP**

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250 GREENWICH STREET
NEW YORK, NY 10007
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January 2, 2018

Village of Nyack, New York
Bond Resolution for Village Hall Improvements
Our File Designation: 5696/1098)

Ms. Jennifer Hetling
Village Treasurer
Village of Nyack
9 North Broadway
Nyack, New York 10960-2697

Dear Jennifer:

Pursuant to your request, I have prepared the attached draft Extract of Minutes of the Board of Trustees meeting to be held on January 11, 2018, showing adoption of the above bond resolution and providing for publication, in summary.

Please note that the bond resolution is to be adopted by at least a two-thirds vote of the entire membership of the Board of Trustees.

Also enclosed is a summary of the bond resolution with the prescribed form of Clerk's statutory notice affixed in readiness for publication in the official Village newspaper. As you know, publication of the bond resolution, in summary, commences a 20-day statute of limitations period pursuant to the provisions of Section 80.00 *et seq.* of the Local Finance Law.

Please obtain and forward to me a certified copy of the Extract of Minutes and an original Affidavit of Publication, when available.

With best regards, I am

Very truly yours,



Robert P. Smith

RPS/ml
Enclosures

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Nyack, in the

County of Rockland, New York

January 11, 2018

* * *

**A regular meeting of the Board of Trustees of the Village of Nyack, New York,
was held at the Village Hall, 9 North Broadway, Nyack, New York,
on January 11, 2018.
7:30pm**

Resolution No. 2018 - 3

There were present: Dr. Don Hammond, Mayor; and

Trustees: Louise Parker
Marie Lorenzini
Donna Lightfoot-Cooper
Elijah Reichlin-Melnick

There were absent: _____

Also present: Jennifer Hetling, Interim Village Clerk
Walter Sevastian, Village Attorney
James C. Politi, Village Administrator

* * *

_____ offered the following resolution and moved its
adoption:

BOND RESOLUTION OF THE VILLAGE OF NYACK, NEW YORK, ADOPTED JANUARY 11, 2018, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VILLAGE HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$100,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF NYACK, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Nyack, in the County of Rockland, New York (herein called the “Village”), is hereby authorized to construct improvements to Village Hall, and related or ancillary work. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$100,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$100,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Village in the principal amount of \$100,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter

33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of

and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the “*Journal News*,” a newspaper having a general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

* * *

The adoption of the foregoing resolution was seconded by and duly put to a vote on roll call, which resulted as follows:

AYES:

NOES:

The resolution was declared adopted.

CERTIFICATE

I, Mary E. White, Village Clerk of the Village of Nyack, in the County of Rockland, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Nyack duly called and held on January 11, 2018, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Nyack this 11th day of January, 2018.

(SEAL)

Village Clerk

(NOTICE AND SUMMARY OF RESOLUTION FOR PUBLICATION)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 11th day of January, 2018, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Nyack, in the County of Rockland, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Jennifer Hetling,
Interim Village Clerk

BOND RESOLUTION OF THE VILLAGE OF NYACK, NEW YORK, ADOPTED JANUARY 11, 2018, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO VILLAGE HALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$100,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$100,000 TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the construction of improvements to Village Hall, at the estimated maximum cost of \$100,000.

The period of probable usefulness applicable to the object or purpose for which said bonds are authorized is in excess of five years; however, the bonds authorized pursuant to this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five (5) years after the date of original issuance of said bonds or notes.

The maximum amount of obligations authorized to be issued is \$100,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Village Clerk, at the Village Hall, 9 North Broadway, Nyack, New York.

Attachment #4

RESOLUTION OF THE NYACK VILLAGE BOARD

**A regular meeting of the Nyack Village Board was convened on January 11th, 2018
At 7:30pm**

Resolution No. 2018 - 4

**RESOLUTION OF THE NYACK VILLAGE BOARD TO APPROVE THE
SLATE OF APPOINTMENTS OF VILLAGE OFFICIALS, MEMBERS OF
THE LAND USE BOARDS AND VILLAGE COMMISSIONS.**

Resolution No. 2018-4:

RESOLVED that the Mayor's Re-Organization Appointment Slate for the year 2018 (attached hereto and made a part hereof) is hereby approved for the terms indicated thereon.

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 Hammond	[]	[]	[]	[]
Trustee Parker	[]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[]
Trustee Lightfoot-Cooper	[]	[]	[]	[]
Trustee Reichlen-Melnick	[]	[]	[]	[]

Jennifer Hetling, Interim Village Clerk

Attachment #5

I. PRESENTATION OF RE-ORGANIZATION APPOINTMENT SLATE

“2018” Slate of Appointments

Deputy Mayor - 1 year	Louise Parker
Village Attorney - 1 year	Walter R. Sevastian
Interim Village Clerk	Jennifer Hetling
Deputy Village Clerk – 1 year	Patricia Evans
Deputy Village Treasurer- 1 year	Rosa Martinez
Registrar – 2 years	Jennifer Hetling
Deputy Registrar - 2 years	Amanda Garcia
Tax Collector – 1 year	Jennifer Hetling
Village Administrator – 2 year	James C. Politi
Special Counsel – 1 year	_____
Acting Village Justice – 1 year	Robert P. Lewis
Village Marriage Officer – 1 year	Jennifer Hetling
Village Historian – 1 year	J.P. Schutz
Planning Board Member – 5 year	Alan Englander
Planning Board Chair – 1 Year	Peter Klose
Zoning Board of Appeals Member– 5 year	Glen Kean
Zoning Board of Appeals Chair– 1 year	Steven Knowlton
Architectural Review Board Member – 5 years	Toma Holley
Architectural Review Board Chair – 1 year	Eileen Kuster Collins
Water Commissioner – 5 year	William McDowell
Water Commissioner Chair – 1 year	Ross Dailey

Parks Commissioner – 5 year
Parks Commissioner (Chair) – 1 year

Bert Hughes
James Wilcox

Maintenance Mechanic & Fire
Alarm Inspector – 1 year

James Scully

Village Board Monthly Meeting Schedule – See Attachment #1

Official Newspaper – *Journal News*

Official Banks - *Chase*
Wells Fargo
Key Bank
M & T Bank
SterlingBank
MBIA Municipal Investors Service Corp. (CLASS)

Account Signatories – Mayor, Dr. Don Hammond
Deputy Treasurer, Rosa Martinez
Administrator, James C. Politi

Attachment #6

Village of Nyack Board of Trustees

2018 Tentative Meeting Schedule

January 11, 2018	January 25, 2018
February 8, 2018	February 22, 2018
March 8, 2018	March 22, 2018
May 10, 2018	May 24, 2018
June 14, 2018	June 28, 2018
July 12, 2018	<i>July 26, 2018</i>
August 9, 2018	<i>August 23, 2018</i>
September 13, 2018	September 27, 2018
October 11, 2018	October 25, 2018
November 8, 2018	<i>November 22, 2018</i>
December 13, 2018	<i>December 27, 2018</i>

Those dates in italic/red are the typical meeting dates that are canceled each year.

Passover 3/30/18 – 4/7/18
Rosh Hashanah 9/9/18 – 9/11/18
Yom Kippur 9/18/18 – 9/19/18
Hanukkah 12/2/18 – 12/10/18

Thanksgiving is November 22nd, 2018

December 27th, 2018. Christmas Week

Attachment #7