

Resolution No. 2013-60 To ratify Nyack Parking Authority mission statement and annual review standards.

Motion made by Trustee Hammond, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Resolution No. 2013-61 Authorizing the Village Administrator to submit an application for a '211 Waiver' to continue employment of the Fire Inspector.

Motion made by Trustee Hammond, seconded by Trustee Foster to adopt as presented. Motion passed by unanimous vote.

Public Comment: (Open Public Discussion/any topic – 3 minute time limit)

John Carleo – spoke commended the Village on the landscape maintenance on Main Street in response to his previous inquiries/concerns. He was given information/directions for looking up documents (minutes, etc.) on the Village website.

Minerva Parker – African American Day Parade Committee

Village Attorney will draft resolution for adoption at our next regular meeting (9/26/13).

Public Hearing(s):

Old Business

-GranFondo (May 18, 2014)

Department Reports to the Board

- Orangetown Police Department
 - Mayor Laird-White gave a brief report, including increase in OPD hourly fee for 'Special event' police coverage.
- Village Administrator
 - SkatePark respondent informational meeting scheduled for Wednesday, 9/18/2013 @ 6:30pm (location to be determined). Village Clerk was directed to check the availability of the Nyack Library.
 - Banner application request from VP&C Partners (on behalf of Benjamin Moore) was deferred to the Building Department for location availability.
- Village Attorney
 - No report
- Village Clerk
 - No report

Communications

ACADA (J. Dunnigan) – 2014 Street Fair dates

Trustee Parker moved to approve the following Street Fair dates for 2014:

May 18, July 13, October 12.

Trustee Foster seconded the motion and it passed unanimously.

2015 dates cannot be voted on until September 2014.

Montessori Center (C. Place) – *Family/Student Picnic*

Trustee Hammond moved to approve request for street closure for this annual event. Closure requested is 5th Avenue (between Marion St and Broadway). Date is Friday, 10/4/2013 (10a-2p). Trustee Parker seconded the motion subject to written confirmation from Emergency services (Police, Fire, Ambulance) and receipt of Certificate of Liability insurance. Motion passed unanimously.

New Business

Public Comment: (Open Public Discussion/any topic – 3 minute time limit)

Comments from the Board of Trustees

Mayor Laird-White spoke on the recent resignation of Michael Kaneletz from the Board of Water Commissioners effective November, 2013. She also 2 vacancies on the Park Commission.

Executive Session

At 8:00pm, Trustee Parker moved to go into Executive Session to discuss a matter of Personnel. Trustee Hammond seconded the motion and it passed unanimously.

At 8:10pm, it was moved by Trustee Parker, seconded by Trustee Foster to come out of Executive Session. Motion passed unanimously.

Adjournment.

There being no further business, nor anyone present wishing to be heard, Trustee Fosterer moved to close the regular meeting. Mayor Laird-White seconded the motion and it was passed unanimously at 8:12pm.

Respectfully submitted.
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board was convened on September 12, 2013 at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-56

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE NEXT PHASE OF AN AGREEMENT WITH
QUENNELL ROTHSCHILD & PARTNERS, LLP FOR MEMORIAL PARK
DESIGN WORK**

WHEREAS, the Village of Nyack has previously contracted with Quennell Rothschild & Partners, LLP (the "Vendor") to perform services relative to the design of Memorial Park; and

WHEREAS, the Vendor has proposed to continue the contract for certain services to be performed during the fiscal year 2013 – 2104;

WHEREAS, the Village Board has reviewed the terms of the Proposal and has approved an expenditure of \$10,000.00 for the services described as "Construction documents for the Pier and Marina" referred to in the Proposal.

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

That the Nyack Village Board hereby approves the contract with Quennell Rothschild & Partners, LLP to perform services relative to the design of Memorial Park to the extent of the initial expenditure of \$10,000.00 for the service described as "Construction documents for the Pier and Marina" referred to in the Proposal.

BE IT FURTHER RESOLVED that the Village Board will consider approval and payment of the next task(s) described in the Proposal on an ongoing and as needed basis.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Village Board was convened on September 12, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-57

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING AN AGREEMENT WITH QUENNEL ROTHSCHILD &
PARTNERS, LLP FOR MEMORIAL PARK DESIGN WORK**

WHEREAS, the Village of Nyack has previously contracted with Quennell Rothschild & Partners, LLP (the “Vendor”) to perform services relative to the design of Memorial Park; and

WHEREAS, the Vendor has proposed to continue the contract for certain services to be performed during the fiscal year 2013 – 2104;

WHEREAS, the Village Board has reviewed the terms of the Proposal and has approved the expenditure of a \$125.00 hourly fee for design services relative to the relocation of the Gazebo pursuant to the Memorial Park Master Plan.

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

That the Nyack Village Board hereby appropriates the funds, at an hourly rate of \$125.00 per hour, to be paid to Quennell Rothschild & Partners, LLP for design services relative to the relocation of the Gazebo pursuant to the Memorial Park Master Plan.

BE IT FURTHER RESOLVED that the Village Board will consider approval and payment of the next task(s) described in the Proposal on an ongoing and as needed basis.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Village Board was convened on September 12, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-58

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE NATIONAL “BIKE MS” EVENT FOR OCTOBER 6,
2013**

WHEREAS, the National MS Society has organized its annual New York City Bike Ride to be held on October 6, 2013, and

WHEREAS, the applicant has requested that the Village of Nyack participate in the event by monitoring public streets to be utilized along the Village right of way for use by participants in the event; and

WHEREAS, the Village Board of Trustees is desirous of supporting MS Society’s New York City Bike Ride;

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

That the Nyack Village Board hereby approves the event, and commends the efforts of the National MS Society for organizing the event.

BE IT FURTHER RESOLVED that the Village Board directs the Nyack DPW and Nyack Village Clerk to facilitate communication with the applicant and the Orangetown Police Department to ensure that the street utilized by during the event are monitored for safety.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Village Board was convened on September 12, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-59

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE PENGUIN PLUNGE FOR MARCH 2, 2014**

WHEREAS, the not-for-profit Penguin Plunge organization has organized its annual fund raising event for March 2, 2014, and

WHEREAS, the Penguin Plunge has requested that the Village of Nyack participate in the event by designating a portion of Memorial Park for use by participants in the event; and

WHEREAS, the Village Board of Trustees is desirous of supporting Penguin Plunge;

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

That the Nyack Village Board hereby approves the event, and commends the efforts of Penguin Plunge, Inc. in organizing the annual Penguin Plunge Event.

BE IT FURTHER RESOLVED that the Village Board directs the Village Clerk to insure that all proper documentation id provided for the event, including the required insurance certificate.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Village Board was convened on September 12, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-60

RESOLUTION OF THE NYACK VILLAGE BOARD RATIFYING THE NYACK PARKING AUTHORITY MISSION STATEMENT AND ANNUAL REVIEW STANDARDS

WHEREAS, the Nyack Village Board is desirous of ratifying, in Resolution format, the mission statement of the Village of Nyack Parking Authority, and

WHEREAS, the Nyack Village Board has previously passed legislation providing that:

The mission and purpose of the Village of Nyack Parking Authority shall be to provide, operate or maintain all on-street and municipal parking lots (hereinafter "projects" or "project areas") within the Village of Nyack. To carry out said mission and purpose the Authority shall have power, in accordance with, subject to, and among other powers granted under New York State Law:

1. To acquire real property subject to the approval of at least four members of the board of trustees in the name of the Village by purchase, condemnation or gift, and use necessary real property.
2. To make by-laws for the management and regulation of its affairs, and, subject to agreements with bondholders, for the regulation of the project;
3. To make contracts, leases, as lessor or lessee, and any operating agreement, and to execute all instruments necessary or convenient to the management of all municipal parking lots and on-street parking within the Village of Nyack;
4. To designate officers and employees, appointed or used by the authority, as hereinabove specified, who shall be empowered to issue appearance tickets as provided for in article one hundred fifty of the criminal procedure law. Persons so designated are hereby authorized to issue and serve such tickets for traffic infractions relating to parking within "project" areas, in accordance with law and when authorized by local law of the village to issue and serve such tickets for traffic infractions committed anywhere in such village including at parking spaces controlled by parking meters.
5. To acquire, construct, reconstruct, improve, equip and furnish any project or project area as may be necessary or convenient;
6. To fix and collect rentals, fees and other charges for the use of any project and to pledge the same, all subject to and in accordance with such agreements with bondholders.

WHEREAS, the Nyack Village Board has previously set standards for measuring whether the Nyack Parking Authority has satisfied its mission and purpose, on an annual basis, by reviewing, evaluating, and modifying, when necessary, the following:

1. The number of existing and new parking spaces under the management of the Nyack Parking Authority, together with any plans to acquire additional land for parking purposes.
2. The local laws governing the on street parking regulations within the Village of Nyack.
3. Any contracts for use or management of municipal parking lots.
4. The revenue generated by meters, permit parking, and parking enforcement within the Village of Nyack.
5. Any improvements on and off street parking facilities undertaken at the request or direction of the Parking Authority.
6. Any debt incurred by or on behalf of the Parking Authority to further its mission.

WHEREAS, the Village Board is desirous of ratifying the mission statement and measurement policy in resolution format.

THEREFORE BE IT RESOLVED that the Nyack Village Board hereby ratifies the Village of Nyack Parking Authority mission statement and measurement standards s set forth hereinabove.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Village Board was convened on September 12, 2013, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2013-61

RESOLUTION OF THE NYACK VILLAGE BOARD TO AUTHORIZE THE SUBMISSION OF APPLICATION FOR '211' WAIVER

Whereas, the Nyack Fire Inspector Vincent Fiorentino is currently working for the Village of Nyack under what is commonly referred to as a Retirement and Social Security Law "211 Waiver" granted by New York State;

Whereas, the Fire Inspector's "211 Waiver" expires on December 31, 2013;

Whereas, the Fire Inspector performs certain supplemental duties in addition to firematic related duties in connection with his employment by the Village, to wit, Village Code enforcement (the Fire Inspector is a certified Code Enforcement Officer), emergency response coordination, and assistance in processing land use applications;

Whereas, the Village of Nyack is dependant on the Fire Inspector performing those additional duties, in that the Village Building Department is only staffed with one full time Chief Building Inspector and one less than full time deputy Building Inspector;

Whereas, as the current economic climate and severe budgetary constraints dictate that Nyack Village Board is desirous of retaining the services of its Fire Inspector Vincent Fiorentino (the Village of Nyack also benefits from the fact that the Fire Inspector, being a retired firefighter, does not have his medical insurance paid by the Village of Nyack);

Whereas, the Rockland County Office of Personnel advises that there is no current list for the Fire Inspector position;

Whereas, the Village of Nyack is unable to find an individual with the current Fire Inspector's unique skills and experience, despite a good faith effort to do so;

Now therefore be it resolved, that the Nyack Village Board hereby authorizes the Village Administrator to apply for a 211 Waiver to continue the employment of the Fire Inspector.

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 Laird-White	[x]	[]	[]	[]
Trustee Parker	[x]	[]	[]	[]
Trustee Hammond	[x]	[]	[]	[]
Trustee Foster	[x]	[]	[]	[]
Trustee Lorenzini	[]	[]	[]	[x]

Mary E. White, Village Clerk