

Minutes of the regular meeting of the Village of Nyack Board of Trustees held at 6:30 pm on Wednesday, April 23rd, 2014 at Nyack Village Hall, 9 N. Broadway, Nyack New York

Hon. Jen Laird-White presiding:

PRESENT:	Jen Laird-White	Mayor
	Louise Parker	Trustee
	Doug Foster	Trustee
	Don Hammond	Trustee
	Marie Lorenzini	Trustee

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

ABSENT:	Steve Knowlton	Special Counsel
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PLEDGE OF ALLEGIANCE

NYACK THANKS.....

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

Action Items:

Resolution No. 2014-24 Resolution to confirm motion to waive the statutory 30-day notice period in connection with liquor license application for 82 Main St, Nyack NY
Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-25 Resolution to authorize contract with Ed Cook Contracting, Inc.
Moved by Trustee Lorenzini, seconded by Trustee Hammond to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-26 Resolution to approve the Nyack Housing Authority Budget for 2014
Moved by Trustee Lorenzini, seconded by Trustee Foster to adopt resolution as presented. Motion passed by unanimous vote.

Resolution No. 2014-27 Resolution to approve the Riverkeeper ‘Riversweep’ event
Moved by Trustee Hammond, seconded by Trustee Lorenzini to adopt resolution as presented. Motion passed by unanimous vote.

Public Hearing(s):

(Held open) Public hearing to amend Chapter 360 of the Code of the Village of Nyack, entitled “Zoning”, to amend the bulk regulations in the DMU Zoning District, to create a DMU Overlay Zoning District, and to create incentives to promote Green Infrastructure in construction projects.

After discussion, Trustee Hammond made a motion to hold open this hearing to a date certain of 5/8/2014. Trustee Foster seconded the motion, pending additional comment from Land Use Board members, if any. Motion passed by unanimous vote.

(Held open) Trustee Parker moved, Trustee Hammond seconded motion opening public hearing to consider adoption of the ***General Fund Budget and Water Department Budget*** for fiscal year June 1st, 2014 – May 31st, 2015. Motion passed unanimously. The following persons spoke on this matter: James Politi, Jen Laird-White, John Malesardi, Doug Foster.

The members of the Village Board wished to publically thank the Village Administrator, Treasurer for the excellent job in creating this budget, despite our current hard times. Mayor Laird-White also thanked the entire staff of the Village for working and assisting with this difficult budget process.

After some discussion, at 6:43pm, Trustee Hammond made a motion to close this hearing. Trustee Lorenzini seconded the motion and it passed unanimously.

Trustee Lorenzini moved, Trustee Foster seconded motion to adopt **Resolution 2014-28** with the following amendment: *Be it further resolved, that the equalization rate of 1.25%, reflected in the attached schedule, is hereby approved.* Motion passed by unanimous vote.

Department Reports to the Board

Village Clerk

Trustee Hammond made a motion to approve the request from Nyack Headstart for 20 employer parking spaces in the Municipal lot (rear) on Cedar St. Job Fair on May 8th, 2014 from 1:30-5pm. Trustee Parker seconded the motion and it passed by unanimous vote. Village Clerk was directed to inform applicant to submit request earlier.

Comments from the Board of Trustees

Mayor Laird-White reported on

- Arbor Day (Memorial Park 4/25/2014)
- Earth Day (Memorial Park 4/26/2014)
- Village has received \$8,300 from NYS Snow Relief fund for Winter 2014
- NAACP Dinner (Pearl River Hilton 4/24/2014)

Marie Lorenzini

- Commended Marcy Denker for her work coordinating the recent meeting of the Green Policy Task Force

Adjournment.

There being no further business, nor anyone present wishing to be heard, Trustee Lorenzini moved to close the regular meeting. Trustee Parker seconded the motion and it was passed unanimously at 6:54pm.

Respectfully submitted,
Mary E. White,
Village Clerk

RESOLUTION OF THE NYACK VILLAGE BOARD

A regular meeting of the Nyack Village Board convened on April 24, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-24

**RESOLUTION OF THE NYACK VILLAGE BOARD CONFIRMING ITS
MOTION TO WAIVE THE STATUTORY 30 DAY NOTICE PERIOD IN
CONNECTION WITH A LIQUOR LICENSE APPLICATION FOR
82 MAIN STREET, NYACK, NY**

WHEREAS, CLCP Hospitality Group Inc. (the “applicant”) has requested that the Village Board waive the statutory 30 day notice period associated with their liquor license application for the premises known as 82 Main Street in Nyack, and

WHEREAS, the Village Board of Trustees has a policy of denying requests of this nature,

WHEREAS, the applicant’s previous attorney had given the Village notice of the submission of a liquor license application for the premises in question in January of 2014, but failed to provide the State Liquor Authority with proof that he had in fact submitted notice to the Village, and

WHEREAS, under these limited circumstances, taking in to account that the notice was actually served on the Village well in excess of the 30 day notice period, and that the only reason for the applicant’s request is the inadequacy of the legal advice given by the applicant’s former attorney; the Village Board is inclined to grant the request.

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

That the Nyack Village Board hereby confirms its motion made at the April 10, 2014 Board meeting granting the applicant’s request to waive the 30 statutory notice period, and

BE IT FURTHER RESOLVED that the Village Board’s determination on this matter is strictly limited to the facts and circumstances described herein.

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 Special meeting of the Nyack Village Board convened on April 23, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-25

**RESOLUTION OF THE NYACK VILLAGE BOARD
TO AUTHORIZE A CONTRACT WITH ED COOK CONTRACTING, INC.**

WHEREAS, the Building Inspector has solicited proposals for a public works project with a cost under the public bidding threshold set forth in General Municipal Law 103-b; and

WHEREAS, the lowest responsible quote received under the Village’s Procurement Policy for the project was submitted by Ed Cook Contracting, Inc., and

WHEREAS, the Building Inspector has reviewed the low bidder’s qualification are recommended that the Village Board award the contract to Ed Cook Contracting, Inc.

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

That the Nyack Village Board hereby approves a contract with Ed Cook Contracting, Inc. for contracting services relative to the repair of the front walkway to Village Hall building project in the amount \$22,050.00, subject to the review and approval of the Village Attorney.

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 Special meeting of the Nyack Village Board convened on April 23, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-26

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE HOUSING AUTHORITY BUDGET FOR 2104**

WHEREAS, the Nyack Housing Authority has presented its budget for the approval of the Village Board as required by State law, and

WHEREAS, the Housing Authority has requested that the Village Board approve the salary increases set forth in the budget; and

WHEREAS, the Village Board recognizes the financial constraints imposed on municipalities and taxpayers; and,

WHEREAS, while the Village Board is required by law to approve the Housing Authority’s budget, the Village Board is not involved in the administration of the Housing Authority; and

WHEREAS, the Village Board of Trustees is desirous of supporting and approving the Housing Authority’s budget;

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

That the Nyack Village Board hereby approves the Housing authority’s budget for 2014, on the condition that the Housing Authority Board submit a memorandum to the Village Board specifically recommending that the raises for employees set forth in the budget be 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 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 Special meeting of the Nyack Village Board convened on April 23, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-27

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE RIVERKEEPER RIVERSWEEP CLEANUP EVENT**

WHEREAS, the Riverkeeper has organized its annual cleanup to be held on May 10, 2014, and

WHEREAS, the Village Board of Trustees is desirous of supporting the efforts of the Riverkeeper;

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

That the Nyack Village Board hereby commends the efforts of the Riverkeeper in organizing the Riversweep Cleanup Event.

BE IT FURTHER RESOLVED that the Village Board hereby approves the event on the condition that the sponsor coordinate with the Village Clerk to avoid a conflict with the previously scheduled raindate for African American Day Parade and festivities.

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 Special meeting of the Nyack Village Board convened on April 23, 2014, at 7:30 p.m.

The following resolution was duly offered and seconded, to wit:
Resolution No. 2014-28

**RESOLUTION OF THE NYACK VILLAGE BOARD
APPROVING THE 2014-2015 GENERAL FUND BUDGET AND WATER
DEPARTMENT BUDGET**

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

That the Nyack Village Board hereby approves the 2014-2015 General Fund Budget and
Water Department budget for the fiscal year June 1, 2014 through May 31, 2014.

Be it further resolved, that the equalization rate of 1.25%, reflected in the attached schedule, is
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 Laird-White	[X]	[]	[]	[]
Trustee Parker	[X]	[]	[]	[]
Trustee Hammond	[X]	[]	[]	[]
Trustee Foster	[X]	[]	[]	[]
Trustee Lorenzini	[X]	[]	[]	[]

Mary E. White, Village Clerk